53600-1-U

ANNUAL REPORT
# of the
MARYLAND JUDICIARY

1985–1986

Administrative Office of the Courts
Courts of Appeal Building
Post Office Box 431
Annapolis, Maryland 21404
301/269-2141

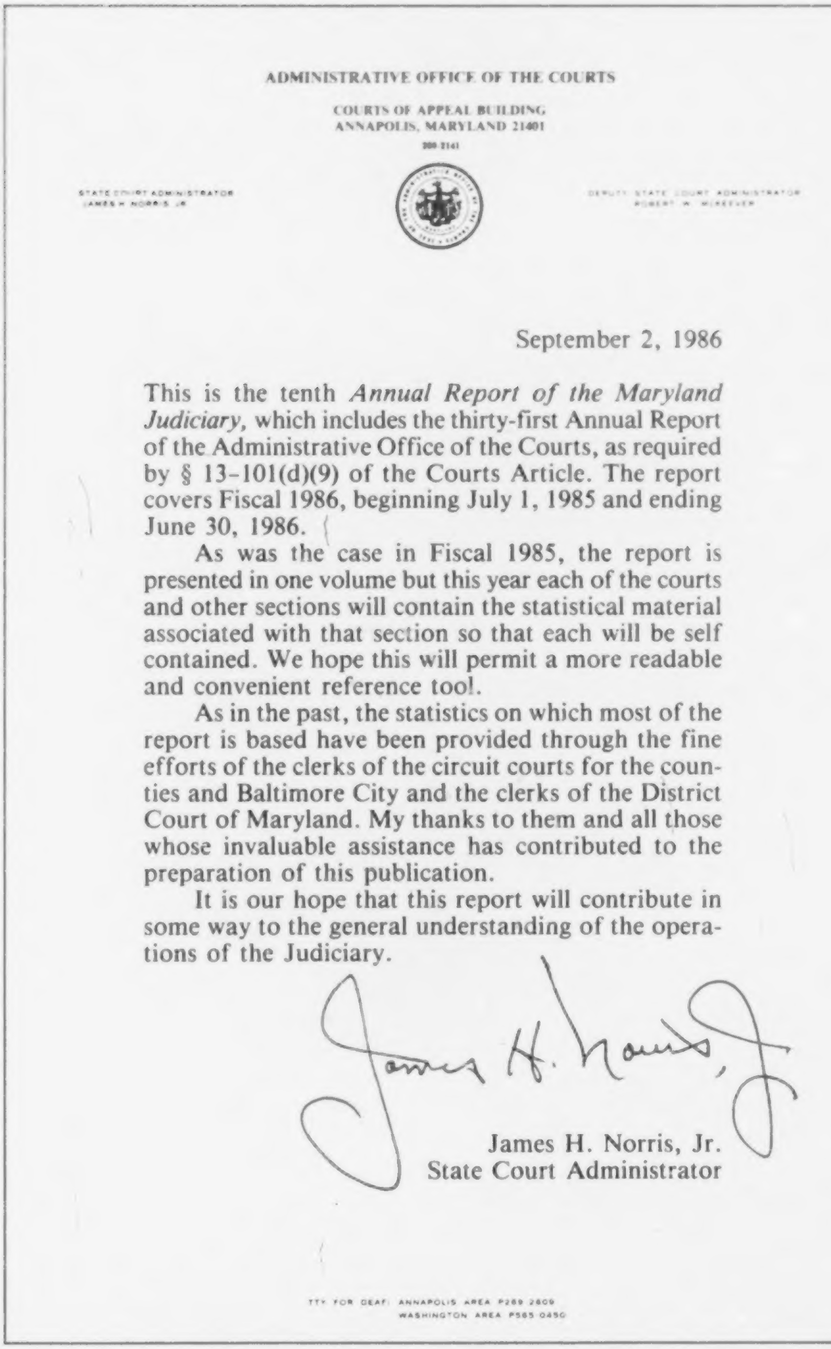
COVER: Top—The Clarence M. Mitchell, Jr., Courthouse
Bottom—The Edward F. Borgerding District Court Building
Photographs by the Honorable Thomas J. Curley

Report prepared by the
Administrative Office of the Courts
Michael V. O'Malley
Peter J. Lally
Faye Gaskin
Norma P. Gainer
Photographs, Courtesy Maryland Historical Trust

Contents

Letter of Transmittal v
Introduction vii
Judicial Revenues and Expenditures 1
The Maryland Courts 7
  The Court of Appeals 11
  The Court of Special Appeals 21
  The Circuit Courts 33
  The District Court 71
Judicial Administration 85
  Administrative Office of the Courts 87
  Judicial Education and Information Services 88
  Judicial Information Systems 88
  Judicial Special Projects 89
  Judicial Research and Planning Services 90
  Judicial Administrative Services 90
  Judicial Personnel Services 90
  Sentencing Guidelines 91
  Liaison with the Legislative and Executive Branches 91
  Circuit Court Administration 91
  District Court Administration 92
  Assignment of Judges 93
Court-Related Units 95
  Board of Law Examiners 97
  Rules Committee 99
  State Law Library 101
  Attorney Grievance Commission 102
  Clients' Security Trust Fund 103
Judicial Conferences 105
  The Maryland Judicial Conference 107
  Conference of Circuit Judges 108
  Administrative Judges Committee of the District Court 109
Appointment, Discipline, and Removal of Judges 111
  Judicial Nominating Commissions 113
  Removal and Discipline of Judges 117
  The Commission on Judicial Disabilities 117
1986 Legislation Affecting the Courts 119
Cross Reference and Definitions 123
  Cross Reference to Table Numbers in Former Reports 125
  Definitions 128

Letter of Transmittal



ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401

269-2141

STATE COURT ADMINISTRATOR
JAMES H. NORRIS, JR.

DEPUTY STATE COURT ADMINISTRATOR
ROBERT W. McKEEVER

September 2, 1986

This is the tenth *Annual Report of the Maryland Judiciary,* which includes the thirty-first Annual Report of the Administrative Office of the Courts, as required by § 13-101(d)(9) of the Courts Article. The report covers Fiscal 1986, beginning July 1, 1985 and ending June 30, 1986.

As was the case in Fiscal 1985, the report is presented in one volume but this year each of the courts and other sections will contain the statistical material associated with that section so that each will be self contained. We hope this will permit a more readable and convenient reference tool.

As in the past, the statistics on which most of the report is based have been provided through the fine efforts of the clerks of the circuit courts for the counties and Baltimore City and the clerks of the District Court of Maryland. My thanks to them and all those whose invaluable assistance has contributed to the preparation of this publication.

It is our hope that this report will contribute in some way to the general understanding of the operations of the Judiciary.

James H. Norris, Jr.

James H. Norris, Jr.
State Court Administrator

TTY FOR DEAF: ANNAPOLIS AREA P269 2609
WASHINGTON AREA P565 0450

Introduction

ROBERT C MURPHY
CHIEF JUDGE
COURT OF APPEALS OF MARYLAND
COURTS OF APPEAL BUILDING
ANNAPOLIS MARYLAND 21401

September 2, 1986

This tenth *Annual Report of the Maryland Judiciary*, as in the past, is prepared so that the citizens of this State may have a better understanding of the operations of the judicial system of Maryland. Again this year the total filings of the Courts have generally increased, however, I believe a review of the *Report* will show that the Maryland Judiciary, with the assistance of its fine supporting staff, continues to cope with the ever increasing caseload.

There is, however, a matter of prime concern in the circuit courts, which is pointed up in the *Report*, that is, the matter of jury trial requests in the District Court. This has been a problem for many years and the requests have increased from 19,180 filings in Fiscal 1985 to 23,284 requests the past fiscal year. Presently about half of the criminal filings in the criminal courts constitute demands for jury trials from the District Court. Although less than two percent of the cases actually result in a jury trial, the amount of circuit court time required to dispose of the requests when scheduled is a matter of deep concern. I will, during the coming year, be addressing this problem and I hope with the assistance of the members of the bar and the General Assembly we will be able to resolve the matter.

I suggest, in fact encourage, a reading of the report by members of the executive and legislative branches as well as the public in general so they may join with the Judiciary in our attempt to further improve the administration of justice in Maryland.

Robert C Murphy

Robert C. Murphy
Chief Judge of the
Court of Appeals of Maryland

Judicial Revenues and Expenditures

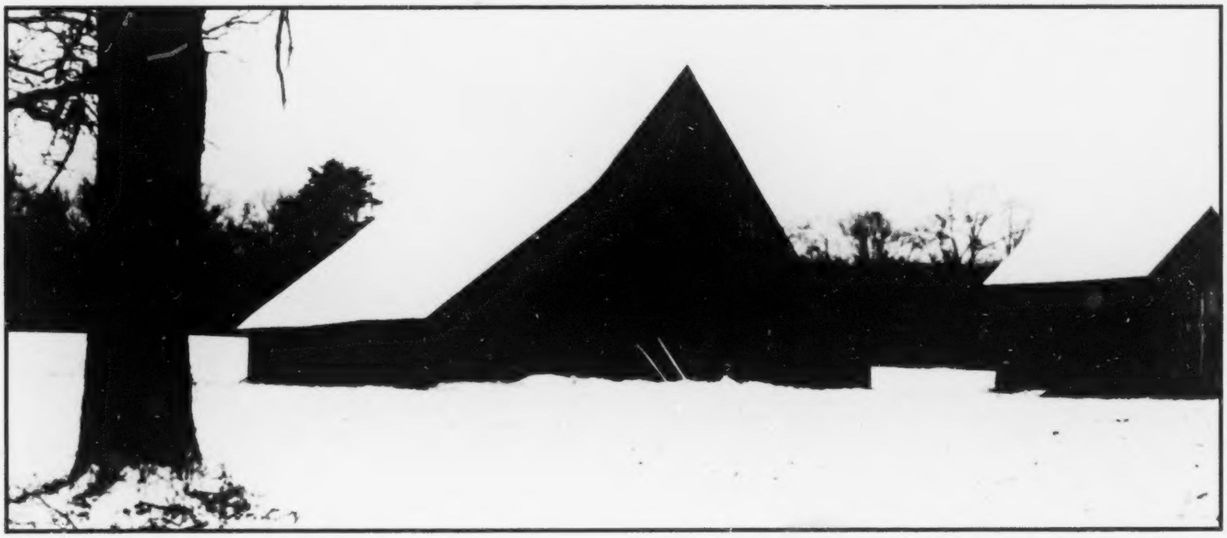
Judicial Revenues and Expenditures

State and local costs to support the operations of the judicial branch of government were approximately $113,200,000 in Fiscal 1986. The judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts, including the Circuit Court for Baltimore City; the District Court of Maryland; the clerks' offices and headquarters of the several courts; the Administrative Office of the Courts; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; the State Board of Law Examiners; the Maryland State Law Library; the Commission on Judicial Disabilities; the Clients' Security Trust Fund; and the Attorney Grievance Commission. There were 219 judicial positions as of June 30, 1986, and approximately 2,800 nonjudicial positions in the judicial branch.

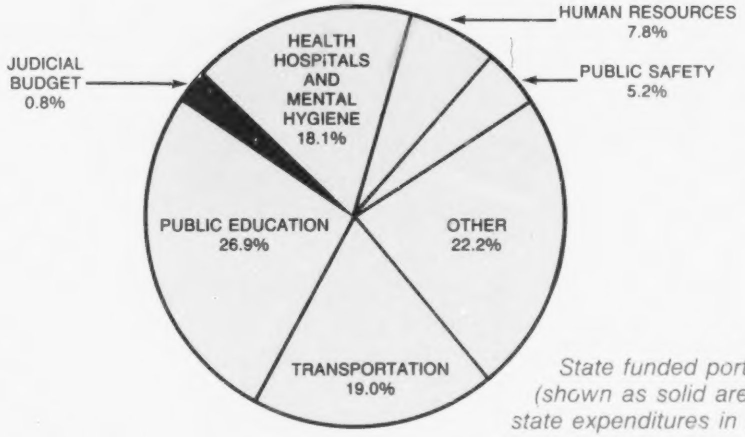
The state-funded judiciary budget operates on a program budget concept and expended $62,067,117 in the twelve-month period ending June 30, 1986. The two appellate courts and the clerks' offices are funded by two programs. Another program pays the salaries and official travel costs for the circuit court judges. The largest program is the state-funded District Court which expended $37,687,750, but brought in general revenue of $41,479,118 in Fiscal 1986. The Maryland Judicial Conference contains funds for continuing

Judicial Branch Personnel in Profile

Judicial Personnel	219
Nonjudicial Personnel	
Court of Appeals	29
Court of Special Appeals	57
District Court	846
Administrative Office of the Courts	90
Court Related Offices (Includes Staff to State Board of Law Examiners, Standing Committee on Rules of Practice and Procedure, State Law Library, Attorney Grievance Commission, and State Reporter)	32
Circuit Courts	2
Clerks' Offices—Circuit Courts	1,042
Circuit Courts—Local Funding	699.2
Total	3,016.2



The Exchange (Tobacco Barn), La Plata (Charles County)



State funded portion of judicial expenditures (shown as solid area) as a percentage of total state expenditures in Fiscal 1986

State Funded Judicial Budget

Revenues*

Program	Actual FY 1984	Actual FY 1985	Actual FY 1986
Court of Appeals	$ 35,257	$ 56,408	$ 57,102
Court of Special Appeals	44,770	56,415	65,324
State Board of Law Examiners	266,445	300,905	377,754
District Court	32,714,383	34,497,821	41,479,118
TOTAL	$33,060,855	$34,911,549	$41,979,298

*Revenues come from filing fees, fines, bail forfeitures and court costs remitted to the State's general fund and are not available to offset expenditures.

Expenditures*

Program	Actual FY 1984	Actual FY 1985	Actual FY 1986
Court of Appeals	$ 1,147,976	$ 1,513,844	$ 1,708,294
Court of Special Appeals	2,005,440	2,787,737	3,049,788
Circuit Courts	6,192,000	10,470,180	11,263,461
District Court	23,221,577	31,151,054	37,684,750
Maryland Judicial Conference	69,081	75,365	77,167
Administrative Office of the Courts	1,052,809	1,280,621	1,427,058
Court Related Agencies	524,126	564,155	664,168
Maryland State Law Library	288,127	365,035	426,214
Judicial Data Processing	3,665,516	4,730,127	5,766,217
TOTAL	$38,166,652	$52,938,118	$62,067,117

*Expenditures are paid from annual appropriations by the legislature to the judiciary budget.

judicial education and Conference activities. Remaining programs provide funds for the Administrative Office of the Courts, the Maryland State Law Library, the Standing Committee on Rules of Practice and Procedure, the State Board of Law Examiners, the State Reporter, and the Commission on Judicial Disabilities.

The Attorney Grievance Commission and the Clients' Security Trust Fund are supported by assessments paid by lawyers entitled to practice in Maryland. These supporting funds are not included in the judicial budget.

The figures and tables show the state-funded judicial revenue and expenditures for Fiscal 1986. The court-related revenue of almost $42 million is remitted to the State's general fund and cannot be used to offset expenditures.

The total state budget was $7.7 billion in Fiscal 1986. The illustration reflects that the state-funded judicial budget consumes but a tiny fraction of the entire state budget, approximately .8 of one percent.

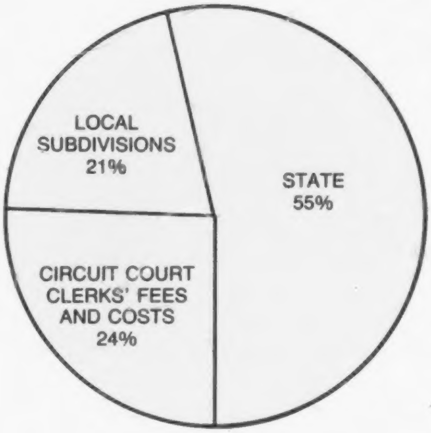
Operating costs for the clerks' offices of the circuit courts are presently paid from filing fees, court costs and commissions collected by those offices. Any deficiencies are paid by the State from (1) a non-budgeted fund maintained by the State Comptroller and (2) a general fund appropriation by the Legislature. Expenses for Fiscal 1986 were $27,345,080 and fees and commissions totaled $29,437,079. Sixteen of the twenty-four clerks' offices ended the year with a surplus, which is reflected in the total of fees and commissions. However, these surpluses revert to the general fund and cannot be used to offset deficits occurring in the other offices. Expenses of eight offices so exceeded their fees and commissions that the State had to pay $3,268,465 from the two aforementioned sources in Fiscal 1986, compared to approximately $3.9 million in Fiscal 1985.

The deficiency is caused by the fact that court-related revenue falls short of expenses to operate many courts. A factor contributing to the size of the deficiency is caused by certain functions undertaken in the Circuit Court for Baltimore City which brings in no offsetting revenue.

In the last two legislative sessions, considerable legislative activity focused on the clerks' offices and the source of funding. In the 1985 session, a significant step was taken to change the whole structure of funding the clerks' offices of the circuit courts by providing full state funding with all State fees and commissions being remitted to the State's general fund. It will require a constitutional amendment which, although considered in 1985, was reintroduced in the 1986 legislative session and was passed. It will be on the ballot of the November 1986 election. If ratified, it will become effective in Fiscal 1988, beginning July 1, 1987.

Other circuit court costs are funded locally by Maryland's 23 counties and Baltimore City. In Fiscal 1986, the appropriations by the local subdivisions were approximately $23.8 million. Court-related revenues collected by the circuit court from sources other than fines, forfeitures, and appearance fees are minimal. This money comes from such sources as fees and charges in domestic relations matters and service charges in collecting non-support. Fines, forfeitures, and certain appearance fees are returned to the subdivisions. That sum was slightly over $2 million in Fiscal 1986.

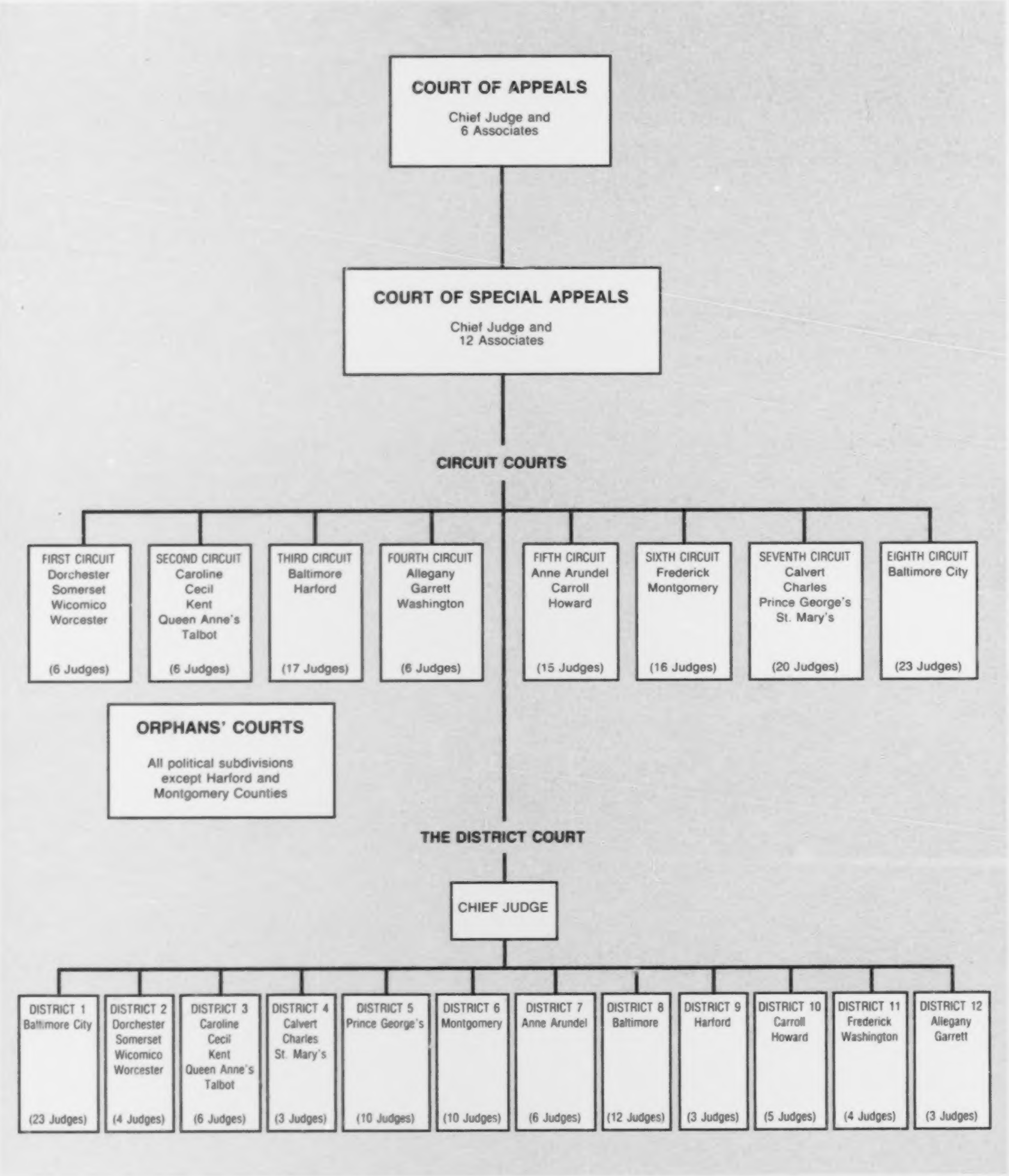
The chart, illustrating the contributions by the State, the clerks' offices, and the local subdivisions to support the judicial branch of government, shows that the state portion accounts for approximately 55 percent of all costs, while the local subdivisions and the clerks' offices account for 21 percent and 24 percent, respectively.



Source of funding to support the judicial branch of government

The Maryland Courts

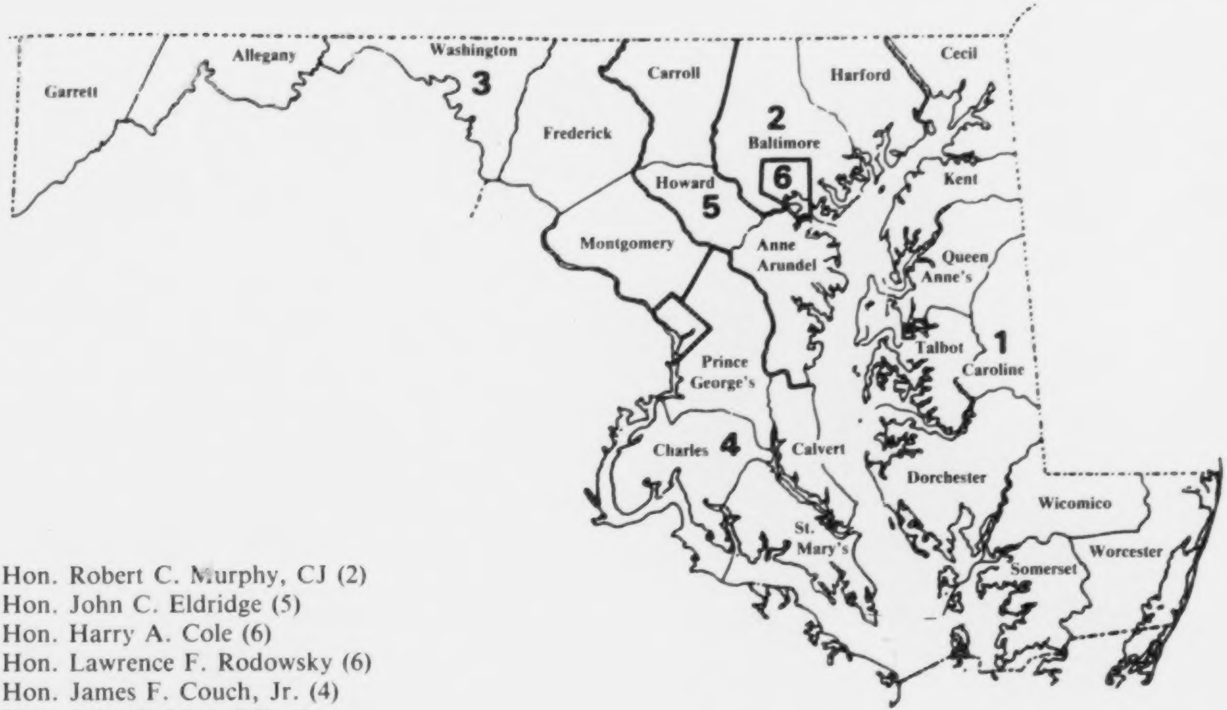
THE MARYLAND JUDICIAL SYSTEM


COURT OF APPEALS
Chief Judge and 6 Associates
COURT OF SPECIAL APPEALS
Chief Judge and 12 Associates
CIRCUIT COURTS
FIRST CIRCUIT Dorchester Somerset Wicomico Worcester (6 Judges)
SECOND CIRCUIT Caroline Cecil Kent Queen Anne's Talbot (6 Judges)
THIRD CIRCUIT Baltimore Harford (17 Judges)
FOURTH CIRCUIT Allegany Garrett Washington (6 Judges)
FIFTH CIRCUIT Anne Arundel Carroll Howard (15 Judges)
SIXTH CIRCUIT Frederick Montgomery (16 Judges)
SEVENTH CIRCUIT Calvert Charles Prince George's St. Mary's (20 Judges)
EIGHTH CIRCUIT Baltimore City (23 Judges)
ORPHANS' COURTS
All political subdivisions except Harford and Montgomery Counties
THE DISTRICT COURT
CHIEF JUDGE
DISTRICT 1 Baltimore City (23 Judges)
DISTRICT 2 Dorchester Somerset Wicomico Worcester (4 Judges)
DISTRICT 3 Caroline Cecil Kent Queen Anne's Talbot (6 Judges)
DISTRICT 4 Calvert Charles St. Mary's (3 Judges)
DISTRICT 5 Prince George's (10 Judges)
DISTRICT 6 Montgomery (10 Judges)
DISTRICT 7 Anne Arundel (6 Judges)
DISTRICT 8 Baltimore (12 Judges)
DISTRICT 9 Harford (3 Judges)
DISTRICT 10 Carroll Howard (5 Judges)
DISTRICT 11 Frederick Washington (4 Judges)
DISTRICT 12 Allegany Garrett (3 Judges)

The Court of Appeals

The Court of Appeals Judicial Map and Members

as of September 2, 1986


Garrett
Allegany
Washington
3
Carroll
Harford
Cecil
Frederick
2
Baltimore
6
Howard
5
Kent
Montgomery
Anne Arundel
Queen Anne's
Talbot
1
Caroline
Prince George's
Charles
4
Calvert
Dorchester
Wicomico
St. Mary's
Worcester
Somerset

Hon. Robert C. Murphy, CJ (2)
Hon. John C. Eldridge (5)
Hon. Harry A. Cole (6)
Hon. Lawrence F. Rodowsky (6)
Hon. James F. Couch, Jr. (4)
Hon. John F. McAuliffe (3)
Hon. William H. Adkins, II (1)

The Court of Appeals

The Court of Appeals is the highest tribunal in the State of Maryland. It was created by the Constitution of 1776. In the early years of its existence, the Court sat in various locations throughout the State, but since 1851, it has only sat in Annapolis. At the present time, the Court is composed of seven members, one from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). Members of the Court run for office unopposed on their records, after initial appointment by the Governor and confirmation by the Senate. If a judge's retention in office is rejected by the voters or if the vote is tied, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland judicial system.

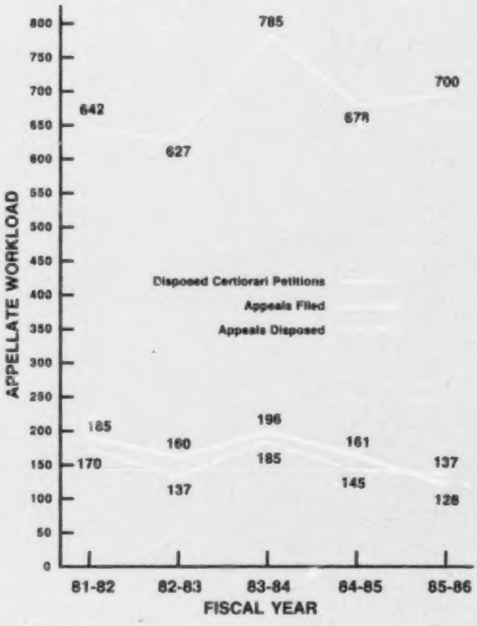
As a result of legislation effective January 1, 1975, the Court of Appeals hears cases almost exclusively by way of certiorari, a discretionary review process. Since that time, the Court's formerly excessive workload has been reduced to a manageable level. This has allowed the Court to devote its efforts to the most important and far-reaching decisions.

The Court may review cases already decided by the Court of Special Appeals or bring up for review cases filed in that court before they are decided. The Court of Appeals may also review cases from the circuit court level if those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice, and procedure which have the force of law. It admits persons to the practice of law, reviews recommendations of the State Board of Law Examiners and conducts disciplinary proceedings involving members of the bench and bar. The Court of Appeals may also decide questions of law certified for review by federal and other state appellate courts.

As indicated in Table CA-1, the number of full appeals filed and terminated over the past five fiscal years has fluctuated near the level of 160 appellate cases. Disposed certiorari petitions have increased slightly. Seven hundred certiorari petitions were reviewed by the Court in Fiscal 1986 and nearly 900 cases were disposed by the Court on an annual basis.

TABLE CA-1

COURT OF APPEALS—APPEALS ACTUALLY FILED AND TERMINATED WITHIN FISCAL YEAR



Filings

Matters filed on the September 1985 docket formed the incoming workload of the Court of Appeals for Fiscal Year 1986. Filings received from March 1 through February 28 were entered on the September Term docket for argument during the period from the second Monday in September to the beginning of the next term. Filings are counted by Term, March 1 through February 28, while dispositions are counted by fiscal year, July 1 through June 30, in this report.

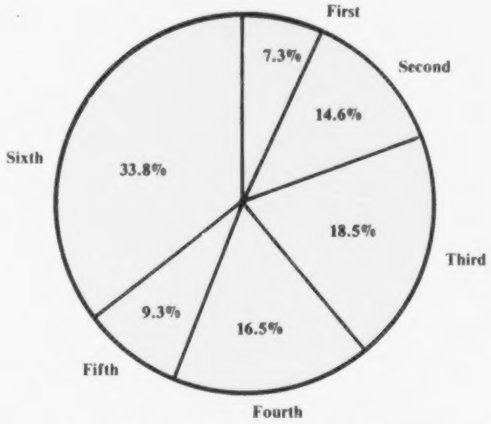
There was a total of 904 filings docketed for the September 1985 Term. Of those, there were: 666 petitions for certiorari; 151 regular cases; 53 attorney discipline proceedings; and 34 miscellaneous appeals of which six were bar admission proceedings and five were certified questions of law from the United States District Court.

A party may file a petition for certiorari to review any case or proceeding pending in or decided by the Court of Special Appeals upon appeal from the circuit court or an orphan's court. Those proceedings that are found to be "desirable and in the public interest" are granted by the Court. In addition, cases that are appealed to the circuit court from the District Court may also be granted certiorari under certain circumstances after the initial appeal has been heard in the circuit court. The Court of Appeals granted 104 (14.9 percent) of the 700 petitions considered during Fiscal 1986. Approximately 59% of those petitions (375) were criminal while 41% of the petitions (325) were categorized as civil (Table CA-9).

Cases are placed on the regular docket after certiorari is granted. On its own motion, the Court may also add cases to its regular docket from cases pending in the Court of Special Appeals. The Court identifies cases suitable for its consideration from a monthly review of appellants' briefs in the Court of Special Appeals. There were 151 cases docketed for the 1985 Term (Table CA-3). Of that amount, 56 were criminal cases while 95 were civil (law, equity, or juvenile). Geographically, 51 cases (33.8 percent) came from Baltimore City, 68 (45.0 percent) were from the four largest suburban counties, and the remaining 32 cases (21.2 percent) came from the other 19 counties. Of the four largest counties, Baltimore and Montgomery Counties contributed the greatest number of cases with 20 from each, followed closely by Prince George's County with 19 cases, and Anne Arundel County contributed nine cases (Tables CA-2 and CA-7).

TABLE CA-2

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS COURT OF APPEALS 1985 TERM



First Appellate Circuit—11 or 7.3%
Second Appellate Circuit—22 or 14.6%
Third Appellate Circuit—28 or 18.5%
Fourth Appellate Circuit—25 or 16.5%
Fifth Appellate Circuit—14 or 9.3%
Sixth Appellate Circuit—51 or 33.8%
Total—State—151 or 100%

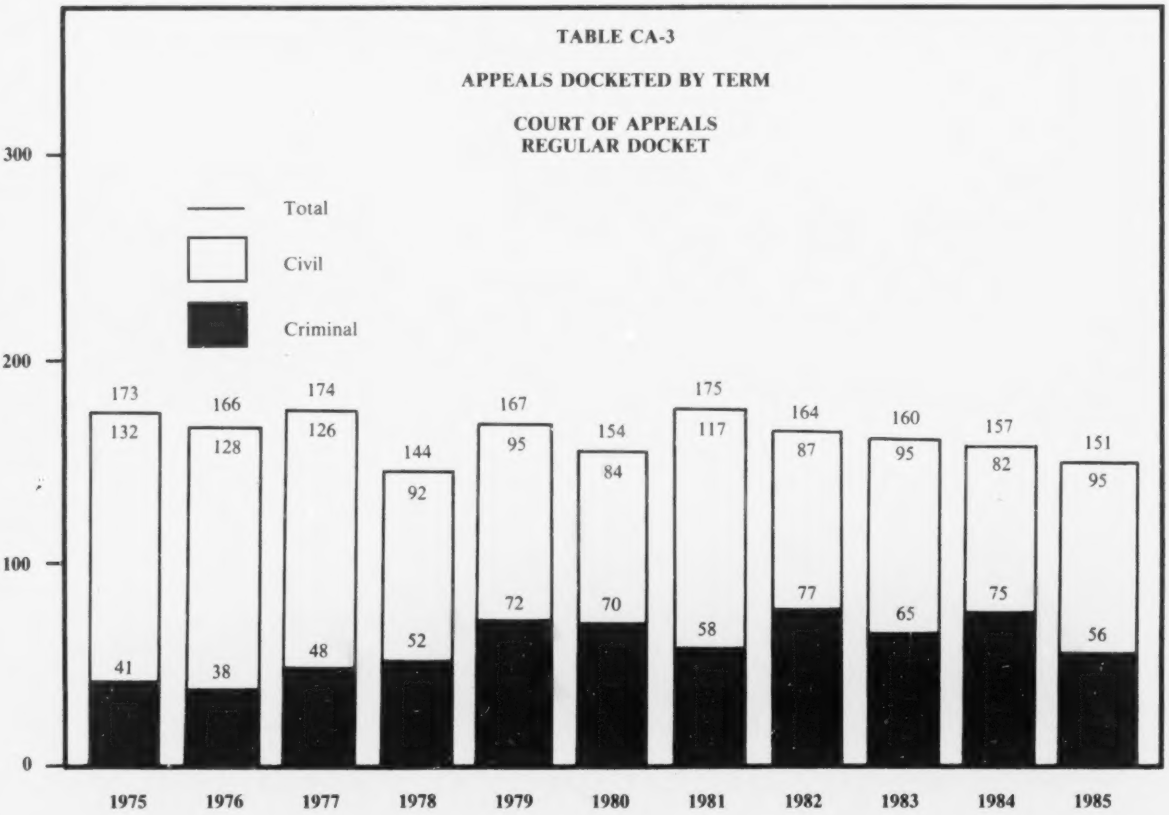


TABLE CA-3

APPEALS DOCKETED BY TERM

COURT OF APPEALS REGULAR DOCKET

Dispositions

During Fiscal 1986, the Court of Appeals disposed of 888 cases, including 128 cases form the regular docket; 700 petitions for certiorari; 40 attorney discipline proceedings; and 20 miscellaneous appeals, of which three were bar admission proceedings and three were certified questions of law (Table CA-4). During Fiscal 1986, the Court of Appeals admitted 1,276 persons to the practice of law, 189 of those individuals were attorneys from other jurisdictions.

The Court of Appeals disposed of 128 cases on its regular docket during Fiscal 1986. Those cases included four from the 1986 Term, 81 from the 1985 Term, and 43 from the 1984 Term. Of the 128 dispositions, 51 (39.8 percent) were criminal, 71 (55.5 percent) were civil, and the remaining six (4.7 percent) were juvenile in nature. As to the type of disposition, 59 affirmed the lower court, 30 reversed, and 16 were vacated and remanded to the lower court. Eight decisions were affirmed in part, reversed in part; five cases each were either dismissed without an opinion filed or dismissed prior to argument or submission; three cases were remanded without affirmance or reversal; one case was dismissed with an opinion being filed; and one case was rescinded (Table CA-8).

In terms of the time required for the disposition of an appeal, the Court averaged 3.7 months in Fiscal 1986 from the date of granting certiorari petitions to the date of argument. The Court averaged 5.4 months from the date of argument to the date of final decision. Collectively, 8.5 months are expended for the average case to be disposed between the approval of certiorari and final disposition (Table CA-10). In Fiscal 1986, there were 110 majority opinions filed by the Court of which six were per curiam. There were also 13 dissenting opinions, seven concurring opinions and four opinions that were dissenting in part and concurring in part.

TABLE CA-4

DISPOSITION OF TOTAL CASELOAD
COURT OF APPEALS

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

Regular Docket	128
Petitions for Certiorari	700
Attorney Grievance Proceedings	40
Bar Admissions Proceedings	3
Certified Questions of Law	3
Miscellaneous Appeals	14
Total Dispositions	**888**

Pending

The Court had pending before it at the close of Fiscal 1986, 121 cases (Table CA-5). There were five cases pending from the 1984 docket, 64 from the 1985 docket, and 52 cases from the 1986 docket which were filed recently to be heard during the September 1986 Term. Approximately 57% of the pending cases (69 of 121) were civil, 41% criminal, and there were two juvenile cases.

TABLE CA-5

CASES PENDING
COURT OF APPEALS

Regular Docket

June 30, 1986

	Civil	Juvenile	Criminal	Total
Origin				
1984 Docket	4	0	1	5
1985 Docket	33	0	31	64
1986 Docket	32	2	18	52
Total	**69**	**2**	**50**	**121**

Trends

Following the trend of the past few years, the Court of Appeals again reported a high number of filings. For the September 1985 Term, there was a total of 904 filings recorded including 666 certiorari petitions and 151 regular docket appeals. Since the September 1981 Term, the number of filings has ranged from 864 to 981; the latter was reported during the September 1983 Term. Also, the number of certiorari petition dispositions surpassed the 600 mark for the sixth consecutive year with 700 petitions being disposed of during Fiscal Year 1986. While the number of petitions has increased, the number of petitions granted shows no discernible trend. These have fluctuated over the past five fiscal years between 13.3 percent and 19.1 percent.

In general, it appears that with increasing regularity the Court of Appeals will continue to be faced with lengthy and complex litigation which will require an extensive amount of time and effort for case disposition. It is interesting to note that this was accomplished in a year in which the workload was disposed of in a shorter period of time and less cases were pending at the end of the fiscal year. In Fiscal 1985, the average time for cases between the granting of certiorari petitions and final decision was 10.0 months compared to 8.5 months in Fiscal 1986. On June 30, 1986, there were 108 regular docket appeals pending as opposed to 126 similar pending matters on June 30, 1985. It is likely that the Court can anticipate continued demands upon its time and workload within the next several years.

TABLE CA-6

FIVE-YEAR COMPARATIVE TABLE PETITIONS FOR CERTIORARI GRANTED

FISCAL 1982--FISCAL 1986

Fiscal Year	Total Dispositions	Number Granted	Percentage
1982	642	121	18.8
1983	627	120	19.1
1984	785	136	17.3
1985	678	90	13.3
1986	700	104	14.9

TABLE CA-7

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND COUNTIES COURT OF APPEALS

1985 TERM

FIRST APPELLATE CIRCUIT		**11**
Caroline County	0	
Cecil County	2	
Dorchester County	0	
Kent County	3	
Queen Anne's County	1	
Somerset County	0	
Talbot County	0	
Wicomico County	2	
Worcester County	3	
SECOND APPELLATE CIRCUIT		**22**
Baltimore County	20	
Harford County	2	
THIRD APPELLATE CIRCUIT		**28**
Allegany County	3	
Frederick County	1	
Garrett County	0	
Montgomery County	20	
Washington County	4	
FOURTH APPELLATE CIRCUIT		**25**
Calvert County	3	
Charles County	1	
Prince George's County	19	
St. Mary's County	2	
FIFTH APPELLATE CIRCUIT		**14**
Anne Arundel County	9	
Carroll County	2	
Howard County	3	
SIXTH APPELLATE CIRCUIT		**51**
Baltimore City	51	
TOTAL		**151**

TABLE CA-8

DISPOSITION OF COURT OF APPEALS CASES

Regular Docket

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Civil	Juvenile	Criminal	Total
Affirmed	31	1	27	59
Reversed	15	3	12	30
Dismissed—Opinion Filed	1	0	0	1
Dismissed Without Opinion	3	0	2	5
Remanded Without Affirmance or Reversal	0	0	3	3
Vacated and Remanded	12	1	3	16
Affirmed in Part, Reversed in Part	6	0	2	8
Dismissed Prior to Argument or Submission	3	1	1	5
Transferred to Court of Special Appeals	0	0	0	0
Rescinded	0	0	1	1
Origin				
1984 Docket	20	1	22	43
1985 Docket	48	4	29	81
1986 Docket	3	1	0	4
Total Cases Disposed During Fiscal 1986	71	6	51	128

TABLE CA-9

PETITION DOCKET DISPOSITIONS*

(Petitions for Certiorari)

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Granted	Dismissed	Denied	Withdrawn	Total
PETITIONS	**104**	**3**	**586**	**7**	**700**
Civil	61	2	259	3	325
Criminal	43	1	327	4	375

*507 filed in fiscal year 1986.

TABLE CA-10

AVERAGE TIME INTERVALS FOR CASES DISPOSED BY COURT OF APPEALS

Regular Docket

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Certiorari Granted to Argument or to Disposition Without Argument[a]	Argument to Decision[b]	Certiorari Granted to Decision[a]
Days	111	161	254
Months	3.7	5.4	8.5
Number of Cases	128	114	128

[a] Includes all cases disposed in fiscal 1986.

[b] Includes all cases disposed in fiscal 1986 which were argued.

TABLE CA-11

FIVE-YEAR COMPARATIVE TABLE AVERAGE TIME INTERVALS FOR FILING OF APPEALS ON THE REGULAR DOCKET COURT OF APPEALS

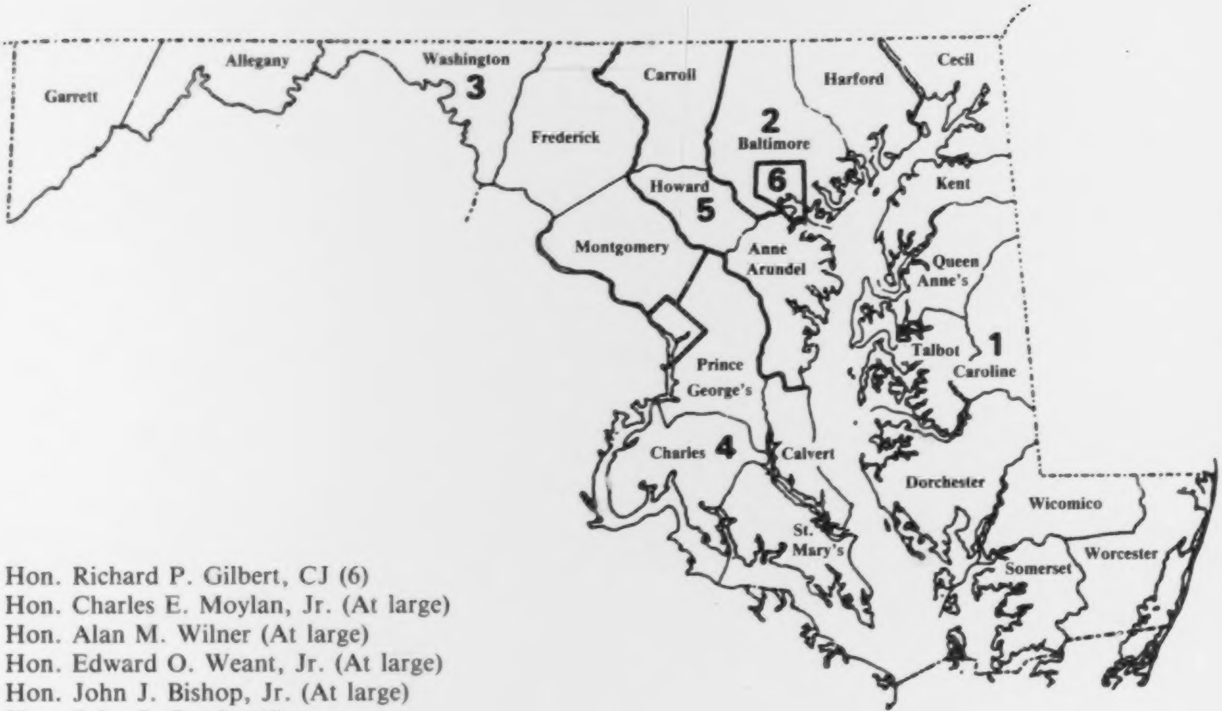
(In Days and Months)

Docket	Original Filing to Disposition in Circuit Court	Disposition in Circuit Court to Docketing in Court of Appeals
1981	385 12.8	175 5.8
1982	308 10.3	125 4.2
1983	354 11.8	125 4.2
1984	349 11.6	102 3.4
1985	303 10.1	124 4.1

The Court of Special Appeals

The Court of Special Appeals Judicial Map and Members

as of September 2, 1986


Garrett
Allegany
Washington
3
Carroll
Harford
Cecil
Frederick
2
Baltimore
6
Howard
5
Kent
Montgomery
Anne Arundel
Queen Anne's
Talbot
1
Caroline
Prince George's
Charles
4
Calvert
Dorchester
Wicomico
St. Mary's
Somerset
Worcester

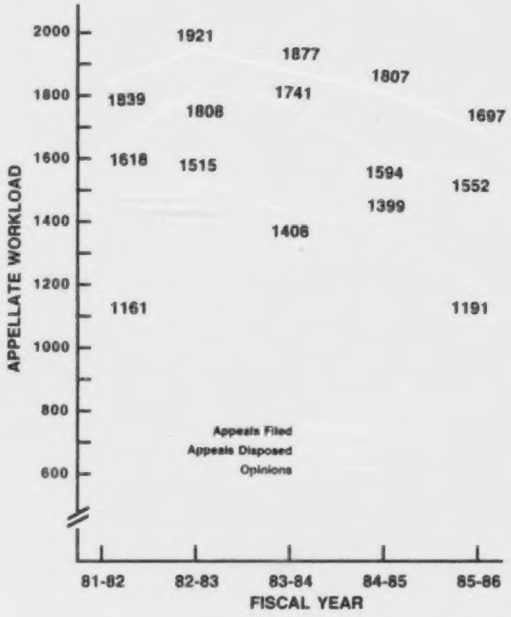
Hon. Richard P. Gilbert, CJ (6)
Hon. Charles E. Moylan, Jr. (At large)
Hon. Alan M. Wilner (At large)
Hon. Edward O. Weant, Jr. (At large)
Hon. John J. Bishop, Jr. (At large)
Hon. John J. Garrity (4)
Hon. Paul E. Alpert (2)
Hon. Theodore G. Bloom (5)
Hon. Rosalyn B. Bell (At large)
Hon. Robert L. Karwacki (At large)
Hon. Robert M. Bell (6)
Hon. William W. Wenner (3)
Vacancy (1)

The Court of Special Appeals

The Court of Special Appeals was created in 1966 as Maryland's intermediate appellate court. Its creation was the result of a rapidly growing caseload in the Court of Appeals which had caused a substantial backlog to develop in that Court.

The Court of Special Appeals sits in Annapolis and is composed of thirteen members, a chief judge and twelve associates. One member of the court is elected from each of the first five Appellate Judicial Circuits while two members are elected from the Sixth Appellate Judicial Circuit (Baltimore City). The remaining six members are elected from the State at large. As in the Court of Appeals, members of the Court of Special Appeals are appointed by the Governor and confirmed by the Senate. They also run on their records without opposition for ten-year terms. The Governor designates the Chief Judge of the Court of Special Appeals.

Unless otherwise provided by law, the Court of Special Appeals has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order or other action of a circuit court and generally hears cases appealed directly from the circuit courts. The judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges of the Court. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or excessive bail, inmate grievances, and appeals from criminal guilty pleas.



Filings

The September 1985 Term docket formed the major portion of the incoming workload of the Court of Special Appeals for Fiscal Year 1986. As in the Court of Appeals, filings received from March 1 through February 28 were entered on the September Term docket for argument beginning the second Monday in September and ending the last of June. In the *Annual Report*, filings are counted by Term, March 1 through February 28, and dispositions are counted by fiscal year, July 1 through June 30.

The Court of Special Appeals received 1,644 filings on its regular docket for the 1985 Term, an increase of two case filings over the previous term. Of the 1,644 filings, 865 (52.6%) were civil cases while the remaining 779 (47.4%) were criminal in nature (Table CSA-2). The overall decrease in the number of criminal appeals during the past two years has accounted for the general decrease in total filings. That decrease was partially the result of the adoption of § 12-302 of the Courts Article and Maryland Rule 1096. As of July 1, 1983, the right of direct appeal was removed in criminal cases where a guilty plea was entered. In those instances, an application for leave to appeal must be filed with the Court and it is discretionary as to whether or not the case will be set on the regular docket (Table CSA-5).

In the civil area, the Court has used the procedure of prehearing conferences to identify those cases it feels are suitable for resolution by the parties. An information report, which is a summarization of the case below and the action taken by the circuit court, is filed in each civil case where an appeal has been noted. During the September 1985 Term, 1,082 information reports were received by the Court of Special Appeals, of which 676 cases or 62 percent of the information reports received were assigned to a prehearing conference. This is a greater percentage of cases assigned to conference than in the two previous terms. During both the 1983 and 1984 Terms, 41 percent of the reports received were assigned to conference. As a result, over 200 additional prehearing conferences were scheduled during the 1985 Term (Table CSA-3). As a result of the prehearing conference procedure, the Court's regular docket is controlled and kept to a manageable level. In the 1985 Term, there were 127 cases (18.8 percent) dismissed or settled before or during the conferences. There were also 74 cases (10.9 percent) which were dismissed or remanded after the conferences were held. (These dismissals occurred, more than likely, as a result of the conference.) Six cases (1.0 percent) had issues limited as a result of the conference and 29 cases (4.3 percent) proceeded with their appeals expedited. At the end of the term, 24 prehearing cases (3.5 percent) were pending (Table CSA-4).

Baltimore City contributed the greatest number of appeals docketed during the 1985 Term with 472 or 28.7 percent. The four largest counties contributed a total of 793 appeals (48.2 percent). Of those, Montgomery County sent the most, 246 (15.0 percent), followed by Prince George's County with 218 (13.3 percent). Baltimore County contributed 193, 11.7 percent, and Anne Arundel County contributed 136 or 8.3 percent of the total appeals (Table CSA-7). The proportionate contribution of each of the appellate circuits followed closely that of each of the four largest counties and Baltimore City. As indicated in Table CSA-8, the percentage of the workload as to the origin of appeals ranges from 8 percent in the First Appellate Circuit (all of the counties on the Eastern Shore of Maryland) to 28.7 percent in the Sixth Judicial Circuit (Baltimore City). Circuit court cases tried generated appeals at the rate of 15 percent, meaning that of 10,979 circuit court trials conducted statewide in Fiscal 1985, approximately 15 percent or 1,644 cases were filed on the 1985 regular docket in the Court of Special Appeals. Table CSA-9 illustrates the ratio of appeals to trials for each jurisdiction in Maryland.

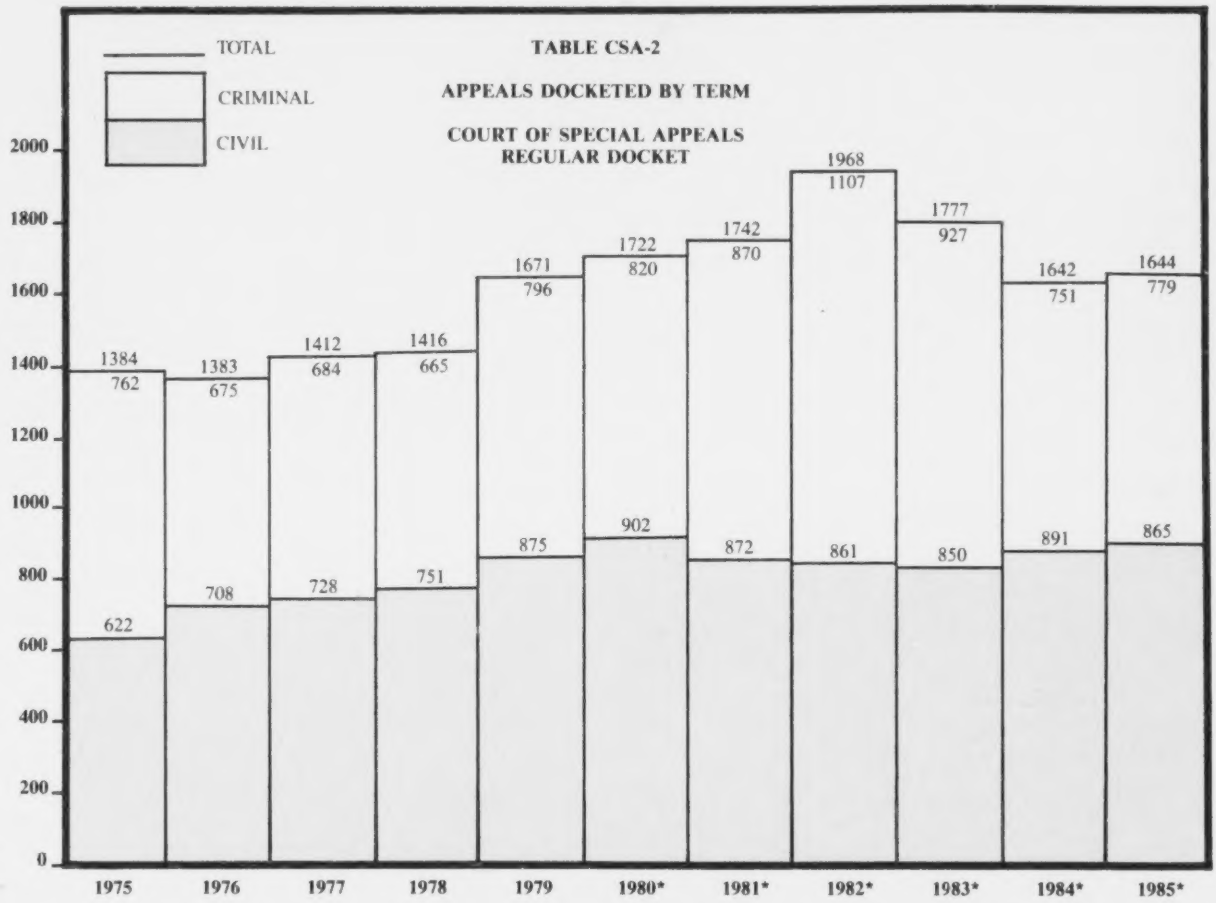


TABLE CSA-2

APPEALS DOCKETED BY TERM

COURT OF SPECIAL APPEALS REGULAR DOCKET

*Does not include civil notices of appeal which were filed in the Clerk's Office pursuant to Maryland Rules 1022-1024. These appeals were either scheduled for prehearing conference or proceeded through the regular appellate process as stipulated in Maryland Rule 1024 a.1. Cases finally disposed of by prehearing conference are never placed on the regular docket or listed as filings. Cases not finally disposed of by this process will be placed on subsequent dockets and will then be included among filings.

TABLE CSA-3

PREHEARING CONFERENCE REPORTS COURT OF SPECIAL APPEALS

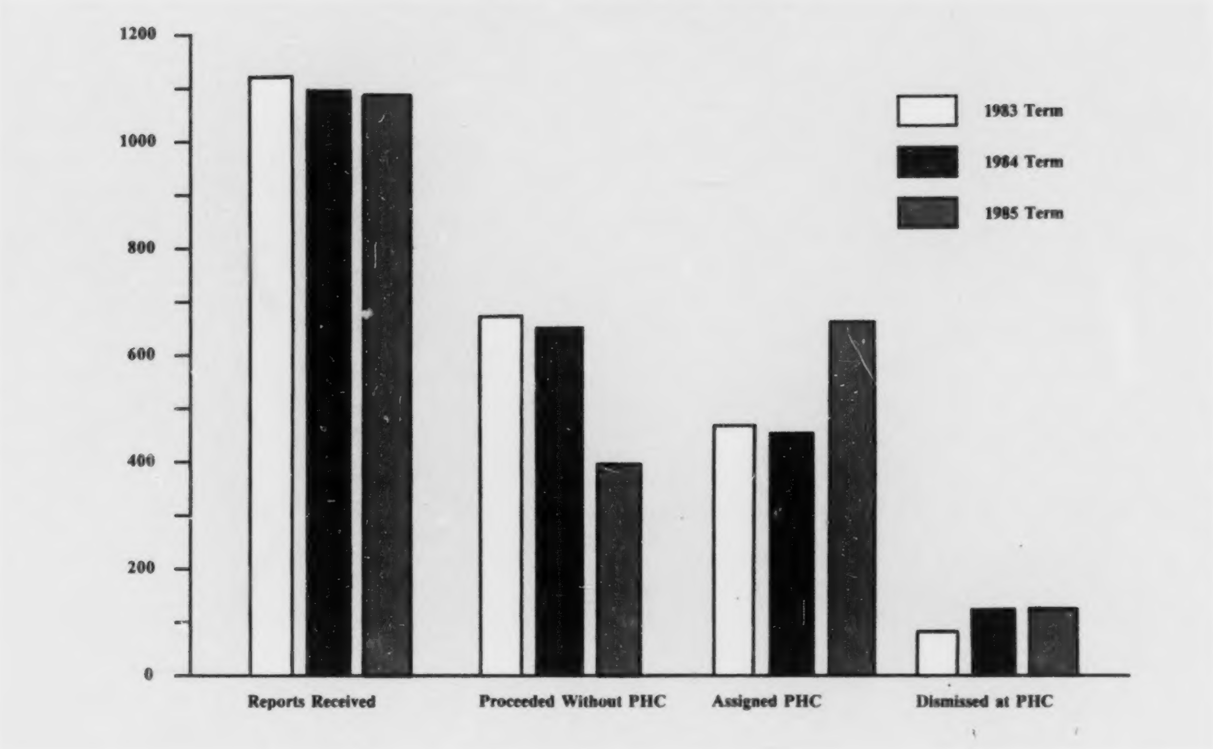
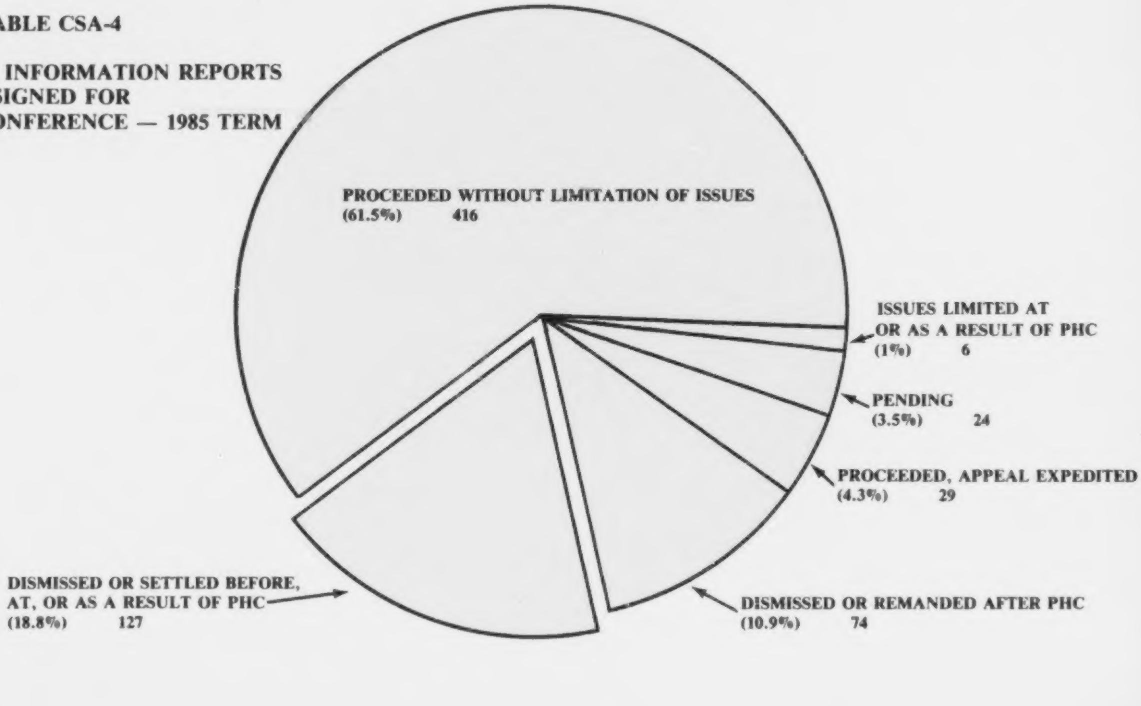


TABLE CSA-4

DISPOSITION OF INFORMATION REPORTS ASSIGNED FOR PREHEARING CONFERENCE — 1985 TERM



Dispositions

The Court of Special Appeals disposed of 1,552 cases during Fiscal Year 1986. Of that amount, 71 cases were from the 1984 Docket, 1,415 were from the 1985 Docket, and the remaining 66 cases were from the 1986 Docket. Civil matters comprised 49.7 percent of all of the dispositions while criminal and juvenile matters comprised 47.3 percent and 3 percent, respectively.

As seen in previous years, over 50 percent of the dispositions of the Court of Special Appeals were affirmances of the lower courts (830 cases affirmed/1,552 cases disposed). Criminal cases represented the largest number of cases affirmed, 496, and the highest rate of affirmances, 67.5 percent (496 out of 734 disposed criminal cases). This category was followed by civil cases which totaled 316 cases affirmed and 41.0 percent rate of affirmance (316 out of 771 disposed civil cases). Juvenile cases numbered 18 cases affirmed for a 38.3 percent rate of affirmance (18 out of 47 disposed juvenile cases). This disposition data does not include 110 cases which were affirmed in part and reversed in part, or 316 cases (20.4 percent of total dispositions) which were dismissed prior to argument or submission. For more information regarding the disposition of Court of Special Appeals' cases, refer to Table CSA-10.

In addition to disposition of cases on the regular docket, the Court also disposed of 185 cases on its miscellaneous docket. There were 113 post conviction dispositions; 69 miscellaneous dispositions which included habeas corpus/bail cases, motions for stay of execution of order pending appeal and appeals from criminal guilty pleas. There were also three inmate grievance dispositions. The Court granted 15 applications for leave to appeal of which 12 were in the "other miscellaneous" category. It also denied 142 applications and remanded six. The remaining 22 applications for leave to appeal were either dismissed or transferred (Table CSA-5).

Cases disposed of during Fiscal Year 1986 took an average of 4.3 months from docketing to argument or to disposition without argument and 0.9 month from argument to decision (Table CSA-11). The average time for a case filing to disposition in court below the Court of Special Appeals was 13.0 months, while the time period for disposition in the circuit court to docketing in the Court of Special Appeals took 4.0 months (Table CSA-12). Approximately 22.2 months are required from the time the case is filed in the circuit court until final disposition in the Court of Special Appeals.

In Fiscal 1986, there were 1,169 majority opinions filed by the Court of Special Appeals. This includes 242 reported and 927 unreported opinions. In addition, there were 22 other opinions filed in which dissenting or concurring opinions were entered.

TABLE CSA-5

DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL AND OTHER MISCELLANEOUS CASES

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Granted	Dismissed or Transferred	Denied	Remanded	Total
Post Conviction	2	17	89	5	113
Inmate Grievance	1	0	2	0	3
Other Miscellaneous*	12	5	51	1	69
TOTALS	**15**	**22**	**142**	**6**	**185**

*Includes habeas corpus/bail cases, motions for stay of execution of order pending appeal, and appeals from criminal guilty pleas.

NOTE: Counts one outcome per case. Does not include reconsiderations of cases disposed in prior fiscal years or return of remanded cases.

Pending

As of June 30, 1986, there were 675 cases pending on the regular docket in the Court of Special Appeals. That included 162 cases from the 1985 Docket and 513 cases from the 1986 Docket which were being scheduled for argument during the current term. The cases pending from the 1985 Term were generally those argued at the end of the fiscal year awaiting opinions (Table CSA-6). There were no cases pending from dockets prior to 1985.

TABLE CSA-6

PENDING CASES
COURT OF SPECIAL APPEALS

Regular Docket
June 30, 1986

	Civil	Juvenile	Criminal	Total
Origin				
1985 Docket	80	4	78	162
1986 Docket	242	14	257	513
Total Cases Pending at Close of Fiscal 1986	322	18	335	675

Trends

The Court of Special Appeals continues to be pressured to effectively and efficiently dispose of its enormous workload which it repeatedly faces on a yearly basis. The Court saw its workload dramatically increase from the 1979 Term when there were 1,671 appeals docketed to the 1982 Term when 1,968 appeals were docketed on the regular docket. The increase was directly attributable to the ever-increasing criminal appeals filed. Table CSA-2 indicates that the number of criminal appeals filed soared from 665 during the 1978 Term to 1,107 during the 1982 Term, an increase of over 66 percent. A decrease was not realized until the 1983 Term when there were 1,777 appeals docketed of which 927 were criminal. During the past 1985 Term, 1,644 appeals were filed including 779 criminal appeals. Thus, it appears generally that the Court's criminal workload has been brought back to where it was prior to the sudden surge of cases experienced during the 1982 Term.

The apparent respite in criminal cases was partially attributable to a law enacted in 1983 (Chapter 295 of the 1983 Acts), which allows cases involving a review of a judgment following a plea of guilty to be treated as a discretionary appeal rather than an appeal as a matter of right. Individuals appealing from a guilty plea must first file an application for leave to appeal. If granted, the appeal is transferred to the regular docket for consideration. While this process has helped control the number of regular docket appeals, it initially increased the number of applications for leave to appeal. There were 128 applications for leave to appeal and other miscellaneous cases disposed of by the Court during Fiscal 1983 compared to 308 during Fiscal 1984. Over the past two fiscal years, 192 and 185 applications for leave to appeal and other miscellaneous cases were filed, showing that the impact of this law on workload has now generally stabilized.

The Court of Special Appeals has also continued several innovative programs in order to keep current with its expanding workload. An expedited appeal process was initiated to aid the Court and the litigants in identifying and processing cases in a more rapid manner (see Maryland Rule 1029). As previously described, the Court has also implemented a prehearing conference procedure aimed at curtailing the number of civil cases. The primary objective is to either settle the cases or limit the issues prior to final preparation of the case on appeal. Both of these techniques help the Court to manage its workload.

Over the next several years, it is expected that the Court of Special Appeals can anticipate between 1,800 to 2,000 total filings. This includes approximately 1,600 to 1,800 regular docket appeals and 200 filings from the miscellaneous docket and applications for leave to appeal.

TABLE CSA-7

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND COUNTIES COURT OF SPECIAL APPEALS

Regular Docket

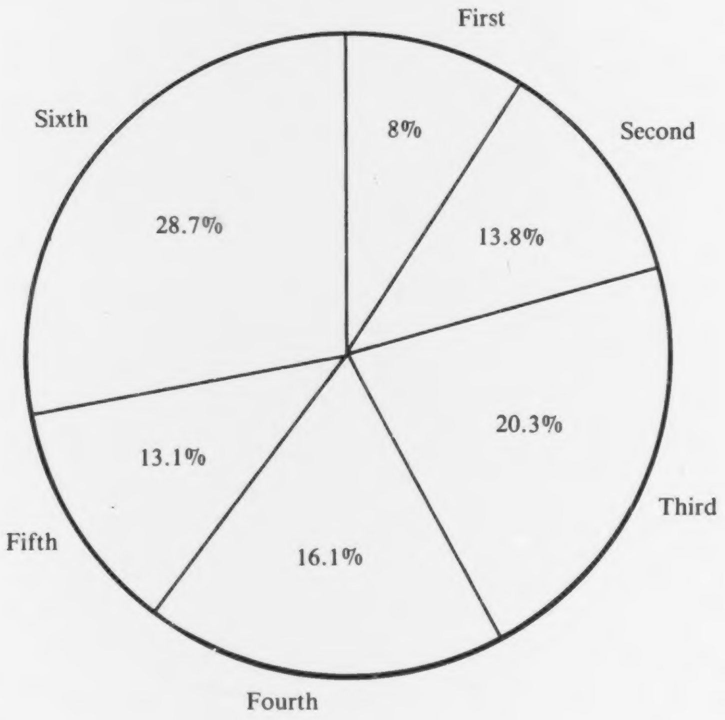
1985 Term

FIRST APPELLATE CIRCUIT		**132**
Caroline County	9	
Cecil County	22	
Dorchester County	20	
Kent County	7	
Queen Anne's County	10	
Somerset County	4	
Talbot County	8	
Wicomico County	24	
Worcester County	28	
SECOND APPELLATE CIRCUIT		**227**
Baltimore County	193	
Harford County	34	
THIRD APPELLATE CIRCUIT		**333**
Allegany County	12	
Frederick County	25	
Garrett County	7	
Montgomery County	246	
Washington County	43	
FOURTH APPELLATE CIRCUIT		**265**
Calvert County	10	
Charles County	19	
Prince George's County	218	
St. Mary's County	18	
FIFTH APPELLATE CIRCUIT		**215**
Anne Arundel County	136	
Carroll County	32	
Howard County	47	
SIXTH APPELLATE CIRCUIT		**472**
Baltimore City	472	
TOTAL		**1,644**

TABLE CSA-8

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS COURT OF SPECIAL APPEALS

1985 TERM
REGULAR DOCKET



First Appellate Circuit—132 or 8%
Second Appellate Circuit—227 or 13.8%
Third Appellate Circuit—333 or 20.3%
Fourth Appellate Circuit—265 or 16.1%
Fifth Appellate Circuit—215 or 13.1%
Sixth Appellate Circuit—472 or 28.7%
Total—State—1,644 or 100%

TABLE CSA-9

RELATIONSHIP BETWEEN COURT OF SPECIAL APPEALS FILINGS ON 1985 REGULAR DOCKET AND CIRCUIT COURT TRIALS IN FISCAL 1985

Jurisdiction	Court of Special Appeals 1985 Regular Docket	Circuit Court Fiscal 1985 Trials	Ratio of Appeals to Trials
Kent County	7	17	.41
Baltimore County	193	612	.32
Montgomery County	246	881	.28
Washington County	43	173	.25
Prince George's County	218	1,079	.20
Anne Arundel County	136	772	.18
St. Mary's County	18	104	.17
Baltimore City	472	2,761	.17
Carroll County	32	237	.14
Talbot County	8	68	.12
Dorchester County	20	189	.11
Worcester County	28	312	.09
Wicomico County	24	285	.08
Allegany County	12	173	.07
Harford County	34	493	.07
Garrett County	7	101	.07
Caroline County	9	132	.07
Queen Anne's County	10	141	.07
Calvert County	10	157	.06
Somerset County	4	84	.05
Cecil County	22	468	.05
Frederick County	25	495	.05
Howard County	47	866	.05
Charles County	19	379	.05
TOTAL	**1,644**	**10,979**	**.15**

TABLE CSA-10

CASES DISPOSED BY COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Civil	Juvenile	Criminal	Total
Affirmed	316	18	496	830
Reversed	91	6	47	144
Dismissed—Opinion Filed	39	1	3	43
Dismissed Without Opinion	2	0	0	2
Remanded Without Affirmance or Reversal	8	3	4	15
Vacated and Remanded	32	0	8	40
Affirmed in Part, Reversed in Part	59	0	51	110
Dismissed Prior to Argument or Submission	185	13	118	316
Transferred to Court of Appeals	39	6	7	52
Origin				
1984 Docket	39	0	32	71
1985 Docket	697	42	676	1,415
1986 Docket	35	5	26	66
Total Cases Disposed During Fiscal 1986	771	47	734	1,552

TABLE CSA-11

AVERAGE TIME INTERVALS FOR CASES DISPOSED BY COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Docketing to Argument or to Disposition Without Argument[a]	Argument to Decision[b]
Days	129.3	27.3
Months	4.3	0.9
Number of Cases	1,552	1,172

[a] Includes all cases disposed in fiscal 1986.

[b] Includes all cases disposed in fiscal 1986 which were argued.

TABLE CSA-12

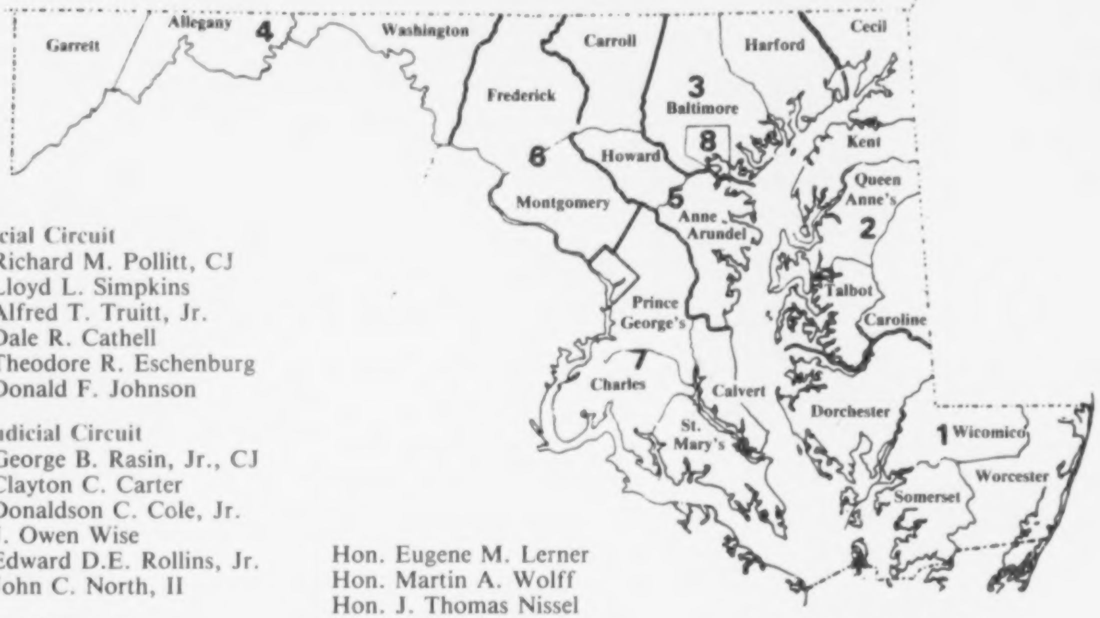
FIVE-YEAR COMPARATIVE TABLE AVERAGE TIME INTERVALS FOR FILING OF APPEALS ON THE REGULAR DOCKET COURT OF SPECIAL APPEALS

(In Days and Months)

Docket	Original Filing to Disposition in Court Below	Disposition in Circuit Court to Docketing in Court of Special Appeals
1981	392	125
	13.1	4.2
1982	349	126
	11.6	4.2
1983	392	115
	13.1	3.8
1984	402	126
	13.4	4.2
1985	389	121
	13.0	4.0

The Circuit Courts

The Circuit Courts — Judiciary Map and Members
as of September 2, 1986



First Judicial Circuit
*Hon. Richard M. Pollitt, CJ
Hon. Lloyd L. Simpkins
Hon. Alfred T. Truitt, Jr.
Hon. Dale R. Cathell
Hon. Theodore R. Eschenburg
Hon. Donald F. Johnson

Second Judicial Circuit
*Hon. George B. Rasin, Jr., CJ
Hon. Clayton C. Carter
Hon. Donaldson C. Cole, Jr.
Hon. J. Owen Wise
Hon. Edward D.E. Rollins, Jr.
Hon. John C. North, II

Third Judicial Circuit
Hon. Albert P. Close, CJ
*Hon. Frank E. Cicone
Hon. Edward A. DeWaters, Jr.
Hon. William R. Buchanan, Sr.
Hon. Brodnax Cameron, Jr.
Hon. James S. Sfekas
Hon. J. William Hinkel
Hon. John F. Fader, II
Hon. Cypert O. Whitfill
Hon. A. Owen Hennegan
Hon. Leonard S. Jacobson
Hon. William O. Carr
Hon. Joseph F. Murphy, Jr.
Hon. William M. Nickerson
Hon. James T. Smith, Jr.
Hon. Dana M. Levitz
Hon. John G. Turnbull, II

Fourth Judicial Circuit
Hon. Frederick A. Thayer, III, CJ
Hon. John P. Corderman
*Hon. Frederick C. Wright, III
Hon. J. Frederick Sharer
Hon. Daniel W. Moylan
Hon. Gary G. Leasure

Fifth Judicial Circuit
Hon. Morris Turk, CJ
Hon. Guy J. Cicone
Hon. Bruce C. Williams
*Hon. Raymond G. Thieme, Jr.
Hon. Robert F. Fischer
Hon. Donald J. Gilmore
Hon. H. Chester Goudy, Jr.
Hon. Luke K. Burns, Jr.
Hon. Eugene M. Lerner
Hon. Martin A. Wolff
Hon. J. Thomas Nissel
Hon. Robert S. Heise
Hon. James C. Cawood, Jr.
Hon. Raymond J. Kane, Jr.
Hon. Robert H. Heller, Jr.

Sixth Judicial Circuit
*Hon. John J. Mitchell, CJ
Hon. Richard B. Latham
Hon. Stanley B. Frosh
Hon. William M. Cave
Hon. Calvin R. Sanders
Hon. James S. McAuliffe, Jr.
Hon. Irma S. Raker
Hon. William C. Miller
Hon. L. Leonard Ruben
Hon. DeLawrence Beard
Hon. Clater W. Smith, Jr.
Hon. G. Edward Dwyer, Jr.
Hon. Peter J. Messitte
Hon. J. James McKenna
Hon. Mary Ann Stepler
Hon. Paul H. Weinstein

Seventh Judicial Circuit
*Hon. Ernest A. Loveless, Jr., CJ
Hon. Perry G. Bowen, Jr.
Hon. William H. McCullough
Hon. James H. Taylor
Hon. Jacob S. Levin
Hon. George W. Bowling
Hon. Albert T. Blackwell, Jr.
Hon. Robert J. Woods
Hon. Howard S. Chasanow
Hon. Vincent J. Femia
Hon. Robert H. Mason
Hon. Audrey E. Melbourne
Hon. David Gray Ross
Hon. James M. Rea
Hon. Richard J. Clark
Hon. Arthur M. Ahalt
Hon. G.R. Hovey Johnson
Hon. Joseph S. Casula
Hon. Darlene G. Perry
Hon. John H. Briscoe

Eighth Judicial Circuit
Hon. Robert I.H. Hammerman, CJ
Hon. David Ross
Hon. Marshall A. Levin
Hon. Mary Arabian
Hon. Martin B. Greenfeld
*Hon. Joseph H.H. Kaplan
Hon. Edgar P. Silver
Hon. Elsbeth Levy Bothe
Hon. Joseph I. Pines
Hon. John Carroll Byrnes
Hon. Thomas Ward
Hon. Kenneth Lavon Johnson
Hon. Edward J. Angeletti
Hon. Arrie W. Davis
Hon. Thomas E. Noel
Hon. David B. Mitchell
Hon. Hilary D. Caplan
Hon. Kathleen O'Ferrall Friedman
Hon. Marvin B. Steinberg
Hon. Clifton J. Gordy, Jr.
Hon. Mabel H. Hubbard
Hon. John N. Prevas
Vacancy

---

*Circuit Administrative Judge

The Circuit Courts

The circuit courts are the highest common law and equity courts of record exercising original jurisdiction within the State. Each has full common law and equity powers and jurisdiction in all civil and criminal cases within its county and all the additional powers and jurisdiction conferred by the Constitution and by law, except where by law jurisdiction has been limited or conferred upon another tribunal.

In each county of the State, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad, but generally it handles the major civil cases and more serious criminal matters. The circuit courts also decide appeals from the District Court and from certain administrative agencies.

The courts are grouped into eight geographical circuits. Each of the first seven circuits contains two or more counties while the Eighth Judicial Circuit consists of Baltimore City. On January 1, 1983, the former Supreme Bench was consolidated into the Circuit Court for Baltimore City.

As of July 1, 1985, there were 109 circuit court judges with at least one judge for each county and 23 in Baltimore City. Unlike the other three court levels in Maryland, there is no chief judge who is administrative head of the circuit courts. However, there are eight circuit administrative judges appointed by the Chief Judge of the Court of Appeals who perform administrative duties in each of their respective circuits. They are assisted by county administrative judges.

Each circuit judge is initially appointed to office by the Governor and must stand for election at the next general election following by at least one year the vacancy the judge was appointed to fill. The judge may be opposed by one or more members of the bar. The successful candidate is elected to a fifteen-year term of office.

Filings

During Fiscal Year 1986, circuit court filings increased over the previous fiscal year. There were 189,899 total filings in Fiscal 1986 compared to 175,785 in Fiscal 1985, an increase of eight percent (Table CC-2). Criminal cases reported the greatest increase with 14.4 percent, followed by juvenile with 10.6 percent, and civil caseload increased by 4.6 percent (Tables CC-19, CC-23, CC-27).

Civil case filings represented 56.2 percent of the total filings during Fiscal 1986 (Table CC-1). Of the 106,716 civil case filings reported during Fiscal 1986, 74.8 percent were from the five major jurisdictions. Baltimore City contributed the greatest number with 24,187 civil filings, followed by Prince George's County with 19,309. Montgomery County reported 12,358 civil filings, while Baltimore and Anne Arundel Counties reported 12,044 and 11,967, respectively. All other jurisdictions reported 26,851 filings, an increase of 8.1 percent over Fiscal 1985 (Table CC-19). With respect to case types, the most significant increases were reported in motor tort, contract, and the other law or general civil categories (Table CC-8).

In exercising jurisdiction formerly held by an orphans' court, the Circuit Court for Montgomery County reported that it conducted 145 hearings and signed 2,322 orders. The Circuit Court for Harford County, which exercises the same jurisdiction, recorded 12 hearings and signed 659 orders.

During Fiscal 1986, there was a total of 48,660 criminal filings, an increase of 14.4 percent over the 42,547 reported in Fiscal 1985 (Table CC-23). Criminal case filings represented 25.6 percent of all filings reported during Fiscal 1986. The increase in this category was due mainly to the increases in jury trial prayers. As indicated in Table CC-5, requests for jury trials rose nearly 22 percent last year from 19,180 filings in Fiscal 1985 to 23,284 in Fiscal 1986. This is a significant increase and, for the first time, the number of criminal and motor vehicle jury trial requests exceeds the number of statewide criminal filings in the circuit court by more than 50 percent. The four major urban counties and Baltimore City continue to contribute the greatest number of cases with 37,779 criminal case filings reported. That represents 77.6 percent of all criminal filings reported during Fiscal 1986.

Following the increases in civil and criminal filings, juvenile case filings also increased during Fiscal 1986. There were 34,523 juvenile filings reported for Fiscal 1986 compared to 31,208 in Fiscal 1985, an increase of 10.6 percent. Included in the juvenile filings were 3,689 causes filed at the District Court level in Montgomery County. As in the other case types, the four major urban counties and Baltimore City contributed the greatest number of juvenile filings with 28,350 or 82.1 percent (Table CC-27).

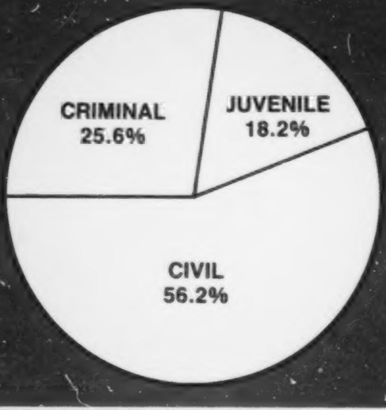
TABLE CC-1

CIRCUIT COURT—FILINGS BY FISCAL YEAR

	1981-82	1982-83	1983-84	1984-85	1985-86
Filings	141,958	155,278	165,169	175,785	189,899
Terminations	128,411	129,198	150,913	155,397	159,559

Includes Montgomery County Juvenile Causes

Percentage of breakdown of filings



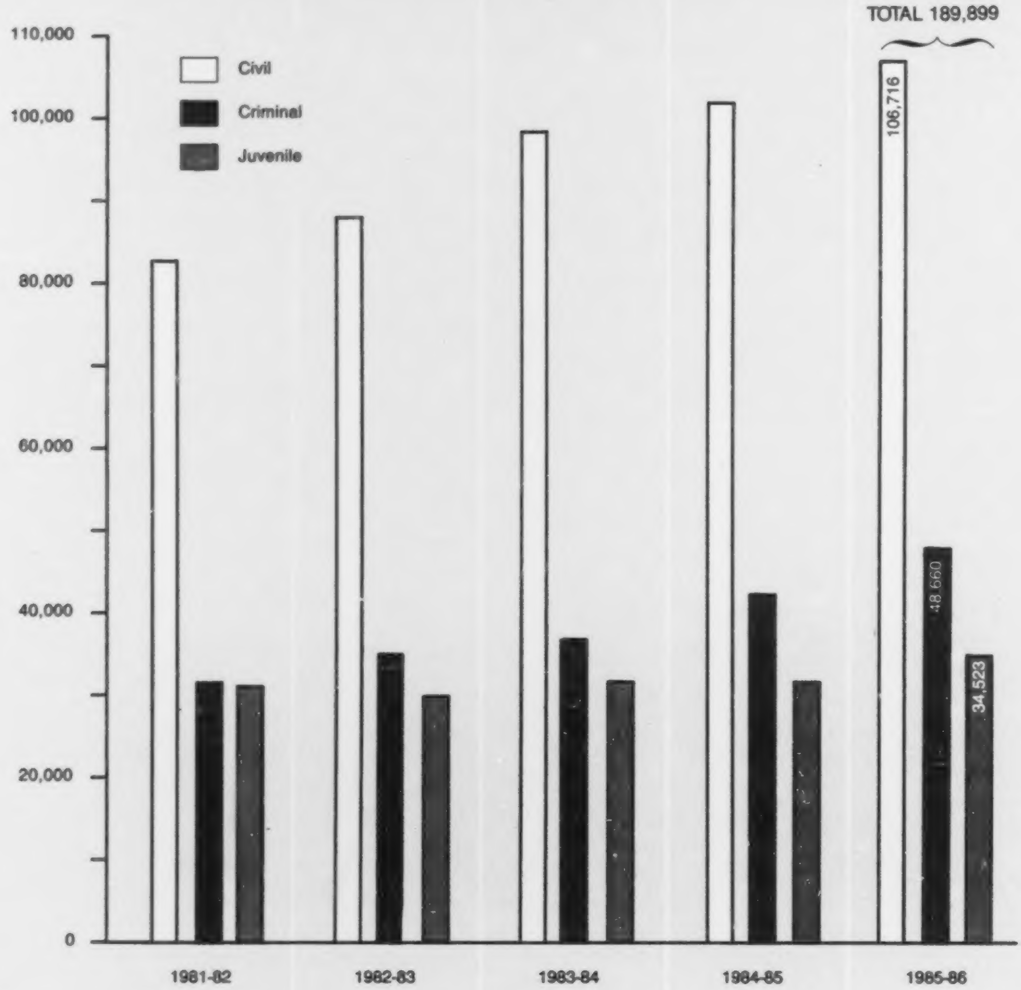


TABLE CC-2

FIVE-YEAR COMPARATIVE TABLE
ALL CASES
FILINGS AND TERMINATIONS

FISCAL 1982—FISCAL 1986

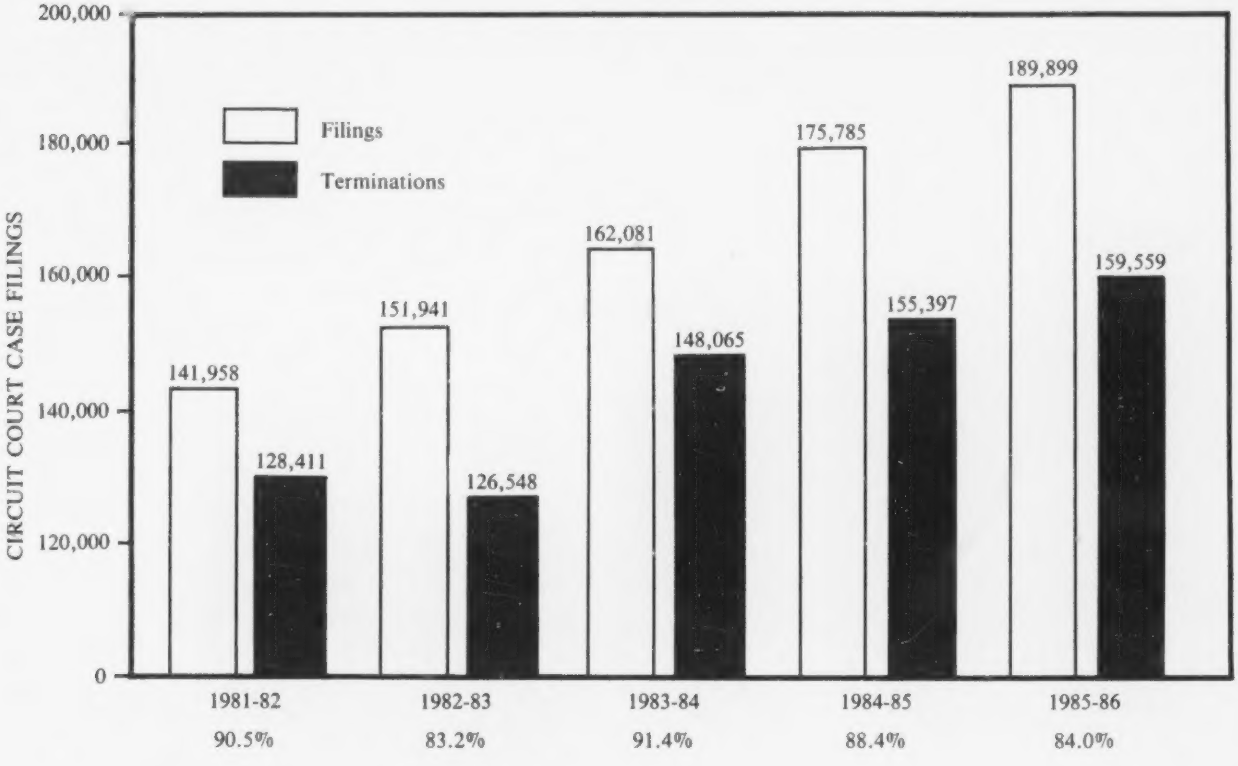
	COMBINED ORIGINAL CASES FILED AND TERMINATED AND REOPENED CASES HEARD		COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED							
	1981-82**		1982-83		1983-84		1984-85		1985-86	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**5,506**	**6,386**	**6,198**	**5,803**	**6,398**	**6,201**	**6,366**	**5,899**	**7,552**	**7,205**
Dorchester	1,135	1,141	1,156	988	1,305	1,204	1,480	1,408	1,837	1,960
Somerset	635	662	675	488	800	799	759	688	940	898
Wicomico	2,348	2,603	2,669	2,661	2,583	2,573	2,245	2,171	2,644	2,375
Worcester	1,388	1,980	1,698	1,666	1,710	1,625	1,882	1,632	2,131	1,972
SECOND CIRCUIT	**4,957**	**5,159**	**5,602**	**5,534**	**5,369**	**5,081**	**5,625**	**5,368**	**5,891**	**5,348**
Caroline	678	603	750	713	687	683	897	747	977	986
Cecil	2,219	2,270	2,311	2,367	2,356	2,133	2,484	2,435	2,376	2,121
Kent	378	459	430	402	388	365	372	402	551	427
Queen Anne's	886	1,024	1,054	1,049	991	937	939	977	944	909
Talbot	796	803	1,057	1,003	947	963	933	807	1,043	905
THIRD CIRCUIT	**20,303**	**20,445**	**22,281**	**21,032**	**22,931**	**21,102**	**25,144**	**21,298**	**28,487**	**23,661**
Baltimore	16,348	16,858	18,341	18,038	18,352	17,526	20,176	17,515	23,137	19,543
Harford	3,955	3,587	3,940	2,994	4,579	2,576	4,968	3,783	5,350	4,118
FOURTH CIRCUIT	**4,807**	**5,824**	**5,130**	**4,932**	**5,378**	**4,970**	**5,947**	**5,578**	**6,645**	**5,791**
Allegany	1,589	2,151	1,577	1,658	1,544	1,232	1,702	1,564	1,935	1,553
Garrett	645	661	724	757	701	761	718	698	684	692
Washington	2,573	3,012	2,829	2,517	3,133	2,977	3,527	3,316	4,026	3,546
FIFTH CIRCUIT	**17,461**	**15,788**	**19,906**	**16,318**	**23,727**	**21,959**	**26,037**	**23,322**	**26,681**	**22,005**
Anne Arundel	11,592	10,304	13,198	10,135	16,501	15,265	18,250	15,837	18,257	14,469
Carroll	2,377	2,335	3,190	2,929	3,434	3,091	3,543	3,356	3,603	3,327
Howard	3,492	3,149	3,518	3,254	3,792	3,603	4,244	4,129	4,821	4,209
SIXTH CIRCUIT	**16,858**	**13,714**	**20,782**	**17,495**	**22,596**	**20,320**	**23,472**	**21,871**	**24,526**	**20,887**
Frederick	2,501	2,926	2,357	2,537	2,574	2,371	2,718	2,699	3,163	2,802
Montgomery*	14,357	10,788	18,425	14,958	20,022	17,949	20,754	19,172	21,363	18,085
SEVENTH CIRCUIT	**30,567**	**27,488**	**32,485**	**28,523**	**35,561**	**36,099**	**36,066**	**30,834**	**39,422**	**33,191**
Calvert	1,294	1,527	1,156	1,130	1,317	1,134	1,467	1,335	1,585	1,582
Charles	2,694	2,859	3,126	2,919	3,010	2,768	3,195	3,040	3,804	3,549
Prince George's	25,100	21,127	26,551	22,838	29,653	30,727	29,916	25,100	32,542	26,660
St. Mary's	1,479	1,975	1,652	1,636	1,581	1,470	1,488	1,359	1,491	1,400
EIGHTH CIRCUIT	**41,499**	**33,607**	**39,557**	**26,911**	**40,121**	**32,333**	**47,128**	**41,227**	**50,695**	**41,471**
Baltimore City	41,499	33,607	39,557	26,911	40,121	32,333	47,128	41,227	50,695	41,471
STATE	**141,958**	**128,411**	**151,941**	**126,548**	**162,081**	**148,065**	**175,785**	**155,397**	**189,899**	**159,559**

*Includes juvenile causes processed at the District Court level.

**Baltimore City changed its counting procedures from individual charges to cases in July 1981. Cases are defined as charges arising out of a single incident. Thus, one case represents one incident.

TABLE CC-3

TERMINATIONS AS A PERCENTAGE OF FILINGS IN THE CIRCUIT COURTS



RELATIONSHIP OF TERMINATIONS TO FILINGS (Percent)

TABLE CC-4

CASES TRIED BY MAJOR JURISDICTION

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	State	Baltimore City	All Counties	Four Largest Counties	Other 19 Counties
CIVIL	**8,365**	**1,210**	**7,155**	**4,262**	**2,893**
Court Trial	7,217	1,086	6,131	3,545	2,586
Jury Trial	1,148	124	1,024	717	307
CRIMINAL	**3,616**	**791**	**2,825**	**1,066**	**1,759**
Court Trial	2,371	518	1,853	597	1,256
Jury Trial	1,245	273	972	469	503

Terminations

Circuit court terminations increased only marginally in Fiscal 1986 in comparison to the greater increase in the number of filings. In Fiscal 1985, 155,397 cases were reported as terminated while 159,559 cases were terminated in Fiscal 1986—an increase of 2.7 percent. At the same time, filings increased at an annual rate of 8.0 percent.

In reviewing terminations as a percentage of filings, Table CC-3 indicates that a ratio of 84.0 percent of filings were terminated in Fiscal 1986. While this would ordinarily give the impression that a lower proportion of court workload was terminated during the year, it should also be taken into consideration that this lower ratio is a function of a higher number of inactive cases that were not terminated during the year. Thus, "deadwood" cases will need to be reviewed in certain jurisdictions during the upcoming year in order to ascertain the actual status of overall workload patterns.

As was evident in Fiscal 1985, increases were reported in the number of criminal and juvenile terminations while civil terminations reported a decrease. There were 43,014 criminal terminations reported for Fiscal 1986 compared to 39,533 in Fiscal 1985, an increase of 8.8 percent. The four major urban counties and Baltimore City contributed the greatest number, with 33,628 or 78.2 percent (Table CC-9). Juvenile terminations increased, from 30,058 in Fiscal 1985 to 32,899 in Fiscal 1986, an increase of 9.5 percent. This includes 3,776 juvenile causes terminated in the District Court for Montgomery County. Within the juvenile terminations, CINA cases increased the greatest during Fiscal 1986, at a rate of 16.1 percent.

Civil case terminations reported a decrease for the second straight year, from 85,806 in Fiscal 1985 to 83,646 in Fiscal 1986, a decrease of 2.5 percent. The following jurisdictions experienced the greatest numerical reductions in civil case terminations: Baltimore City, 1,709 less civil terminations—9.5 percent; Anne Arundel County, 1,559 less civil terminations—15.0 percent; and Montgomery County, 1,199 less civil terminations—10.4 percent.

Pending

At the close of Fiscal 1986, there were 196,589 pending cases, an increase of 12.6 percent over Fiscal 1985. There were 146,106 civil cases pending, 32,239 criminal cases pending, and 18,244 juvenile cases pending, including 1,097 juvenile causes at the District Court level in Montgomery County (Table CC-6.9). This compared to 174,654 pending at the end of Fiscal 1985, of which: 130,494 were pending civil cases; 27,405 were pending criminal cases; and 16,755 were pending juvenile matters including 1,177 juvenile cases pending in the Montgomery County District Court. The four major urban counties and Baltimore City accounted for the majority of the pending cases with 166,782 or 84.8 percent of the number of cases pending.

Court Trials, Jury Trials, and Hearings

As indicated in Table CC-10, the circuit courts conducted statewide over 185,000 proceedings in Fiscal 1986. These included 44,436 civil hearings, 69,468 criminal hearings, 59,496 juvenile hearings along with 11,981 court and jury trials. Approximately 2,393 jury trials were held in Fiscal 1986, of which 52.0 percent were criminal (1,245) and 48.0 percent were civil (1,148). There were 9,588 full court trials conducted, 75.3 percent (7,217) of which were civil (formerly law and equity), and 24.7 percent (2,371) were criminal.

Elapsed Time of Case Dispositions

Tables CC-12, CC-22, CC-26, and CC-28 depict the mean time periods between filing and final disposition of all original filings disposed in Maryland circuit courts during Fiscal 1986. Excluding approximately five percent of the older, inactive cases, the average length of time to dispose of a statewide juvenile proceeding was approximately 66 days during the past fiscal year. This was approximately two days longer than the mean time period reported in Fiscal 1985 and five days greater than the average juvenile case reported in Fiscal 1984. Criminal cases are the next longest group of cases requiring case disposition time and these averaged 106 days in Fiscal 1986, five days shorter than the average criminal case in Fiscal 1985, and 15 days less than the average reported time in Fiscal 1984. Civil cases have shown an average of 208, 200 and 204 days, respectively, over the past three fiscal years. Thus, it would seem that criminal cases are being disposed of in less time while juvenile case dispositions are consuming slightly more in terms of overall elapsed time. Civil time frames have remained constant.

Trends

Over the past five fiscal years, filings have increased steadily at the rate between six and eight percent each year. In Fiscal 1986, the circuit courts reported a record number of 189,899 filings. This exceeded caseload forecasts and represented an increase of 10,000 additional filings for the fifth consecutive year. Each of the three major functional categories (civil, criminal and juvenile) has reported increases throughout the five-year period. In Fiscal 1986, civil filings rose 4.6 percent; criminal, 14.4 percent; and juvenile filings climbed at a rate of 10.6 percent.

While paternity cases, other domestic relations cases, motor torts, and CINA cases increased the greatest in the civil and juvenile areas, the most significant increase again this year was in the number of criminal and motor vehicle jury trial prayers. Since the District Court does not conduct jury trials, all cases, where the defendant is entitled to a jury trial and the request is made, have had to be transferred to the circuit courts for disposition. In 1981, the General Assembly passed a law known as the Gerstung law, Chapter 608, Acts of 1981. The legislative intent was to reduce the number of demands made for jury trials in the District Court. As a result, jury trial prayers dropped by one-half after the first year (Table CC-5). Then, in Fiscal 1983, two years after passage of the Gerstung law, jury trial prayers increased close to the level where they were prior to the enactment of Chapter 608. The impact of this law was further questioned in April of 1984 when the Court of Appeals ruled as unconstitutional the denial of a jury trial for a theft offense carrying a penalty of 18 months imprisonment. (See *Kawamura v. State*, 299 Md. 276, 473 A.2d 438 (1984).) In Fiscal 1984, jury trial prayers exceeded the 1981 level, thus all but eliminating the effect of the Gerstung law.

In Fiscal 1985, jury trial requests rose to 19,180 filings, and during the past fiscal year, 23,284 requests were made. Presently, demands for jury trials from the District Court constitute nearly 50 percent of the total criminal filings—48,660 filings. While in most jurisdictions less than two percent of the cases actually result in a jury trial, a significant amount of court time is now required to dispose of the requests when scheduled for the circuit court. This influx of cases clearly constitutes one of the single most important problems affecting the administration of the circuit courts in the decade of the eighties.

TABLE CC-5

JURY TRIAL PRAYERS PRE- AND POST-GERSTUNG LAW (CHAPTER 608)

	Pre-Ch. 608	Post-Ch. 608				
	FY 81	**FY 82**	**FY 83**	**FY 84**	**FY 85**	**FY 86**
Baltimore City*	5,925	2,034	3,209	4,128	5,948	7,407
Anne Arundel County	503	381	392	459	720	922
Baltimore County	1,312	1,050	1,424	1,513	2,245	3,363
Montgomery County	636	489	1,223	1,924	2,631	2,511
Prince George's County	952	895	1,583	2,755	4,043	4,348
All Other Counties	2,962	1,399	1,930	2,414	3,593	4,733
Total	**12,290**	**6,248**	**9,761**	**13,193**	**19,180**	**23,284**

*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

TABLE CC-6.1

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE FIRST JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIRST CIRCUIT	**2,961**	**7,552**	**7,323**	**229**	**7,205**	**7,007**	**198**	**3,308**
Civil	2,301	4,797	4,704	93	4,815	4,741	74	2,283
Criminal	588	2,142	2,006	136	1,815	1,691	124	915
Juvenile	72	613	613	—	575	575	—	110
DORCHESTER COUNTY	**772**	**1,837**	**1,789**	**48**	**1,960**	**1,903**	**57**	**649**
Civil	638	1,415	1,391	24	1,579	1,547	32	474
Criminal	125	286	262	24	246	221	25	165
Juvenile	9	136	136	—	135	135	—	10
SOMERSET COUNTY	**374**	**940**	**924**	**16**	**898**	**891**	**7**	**416**
Civil	309	687	683	4	708	707	1	288
Criminal	58	190	178	12	139	133	6	109
Juvenile	7	63	63	—	51	51	—	19
WICOMICO COUNTY	**862**	**2,644**	**2,562**	**82**	**2,375**	**2,306**	**69**	**1,131**
Civil	674	1,450	1,420	30	1,319	1,299	20	805
Criminal	160	976	924	52	829	780	49	307
Juvenile	28	218	218	—	227	227	—	19
WORCESTER COUNTY	**953**	**2,131**	**2,048**	**83**	**1,972**	**1,907**	**65**	**1,112**
Civil	680	1,245	1,210	35	1,209	1,188	21	716
Criminal	245	690	642	48	601	557	44	334
Juvenile	28	196	196	—	162	162	—	62

NOTE: The beginning inventory figures have been adjusted to reflect additions and deletions of cases resulting from routine maintenance and the removal of old cases that were actually terminated in a prior fiscal year. This adjustment is reflected in Table CC-6.1 through Table CC-6.9.

TABLE CC-6.2

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE SECOND JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SECOND CIRCUIT	**2,343**	**5,891**	**5,599**	**292**	**5,348**	**5,148**	**200**	**2,886**
Civil	1,624	3,989	3,845	144	3,700	3,631	69	1,913
Criminal	613	1,219	1,071	148	1,004	873	131	828
Juvenile	106	683	683	—	644	644	—	145
CAROLINE COUNTY	**377**	**977**	**948**	**29**	**986**	**961**	**25**	**368**
Civil	288	697	686	11	729	722	7	256
Criminal	78	179	161	18	166	148	18	91
Juvenile	11	101	101	—	91	91	—	21
CECIL COUNTY	**1,074**	**2,376**	**2,241**	**135**	**2,121**	**2,021**	**100**	**1,329**
Civil	677	1,601	1,535	66	1,428	1,394	34	850
Criminal	334	456	387	69	391	325	66	399
Juvenile	63	319	319	—	302	302	—	80
KENT COUNTY	**170**	**551**	**515**	**36**	**427**	**407**	**20**	**294**
Civil	131	379	359	20	297	289	8	213
Criminal	31	127	111	16	88	76	12	70
Juvenile	8	45	45	—	42	42	—	11
QUEEN ANNE'S COUNTY	**331**	**944**	**912**	**32**	**909**	**884**	**25**	**366**
Civil	239	644	627	17	626	615	11	257
Criminal	85	194	179	15	180	166	14	99
Juvenile	7	106	106	—	103	103	—	10
TALBOT COUNTY	**391**	**1,043**	**983**	**60**	**905**	**875**	**30**	**529**
Civil	289	668	638	30	620	611	9	337
Criminal	85	263	233	30	179	158	21	169
Juvenile	17	112	112	—	106	106	—	23

See note on Table CC-6.1.

TABLE CC-6.3

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE THIRD JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—THIRD CIRCUIT	**22,997**	**28,487**	**26,937**	**1,550**	**23,661**	**22,390**	**1,271**	**27,823**
Civil	15,416	15,153	14,364	789	11,933	11,417	516	18,636
Criminal	6,171	8,871	8,110	761	7,170	6,415	755	7,872
Juvenile	1,410	4,463	4,463	—	4,558	4,558	—	1,315
BALTIMORE COUNTY	**16,572**	**23,137**	**21,802**	**1,335**	**19,543**	**18,455**	**1,088**	**20,166**
Civil	11,050	12,044	11,381	663	9,758	9,329	429	13,336
Criminal	5,026	7,374	6,702	672	5,924	5,265	659	6,476
Juvenile	496	3,719	3,719	—	3,861	3,861	—	354
HARFORD COUNTY	**6,425**	**5,350**	**5,135**	**215**	**4,118**	**3,935**	**183**	**7,657**
Civil	4,366	3,109	2,983	126	2,175	2,088	87	5,300
Criminal	1,145	1,497	1,408	89	1,246	1,150	96	1,396
Juvenile	914	744	744	—	697	697	—	961

See note on Table CC-6.1.

TABLE CC-6.4

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE FOURTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FOURTH CIRCUIT	**3,363**	**6,645**	**6,393**	**252**	**5,791**	**5,522**	**269**	**4,217**
Civil	2,854	4,372	4,253	119	3,788	3,673	115	3,438
Criminal	413	1,042	909	133	841	687	154	614
Juvenile	96	1,231	1,231	—	1,162	1,162	—	165
ALLEGANY COUNTY	**1,370**	**1,935**	**1,807**	**128**	**1,553**	**1,404**	**149**	**1,752**
Civil	1,202	1,134	1,075	59	864	802	62	1,472
Criminal	139	362	293	69	286	199	87	215
Juvenile	29	439	439	—	403	403	—	65
GARRETT COUNTY	**296**	**684**	**657**	**27**	**692**	**666**	**26**	**288**
Civil	238	503	484	19	498	485	13	243
Criminal	53	91	83	8	107	94	13	37
Juvenile	5	90	90	—	87	87	—	8
WASHINGTON COUNTY	**1,697**	**4,026**	**3,929**	**97**	**3,546**	**3,452**	**94**	**2,177**
Civil	1,414	2,735	2,694	41	2,426	2,386	40	1,723
Criminal	221	589	533	56	448	394	54	362
Juvenile	62	702	702	—	672	672	—	92

See note on Table CC-6.1.

TABLE CC-6.5

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE FIFTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIFTH CIRCUIT	**17,295**	**26,681**	**25,508**	**1,173**	**22,005**	**21,149**	**856**	**21,971**
Civil	13,633	16,320	15,636	684	12,573	12,209	364	17,380
Criminal	2,996	5,643	5,154	489	5,063	4,571	492	3,576
Juvenile	666	4,718	4,718	—	4,369	4,369	—	1,015
ANNE ARUNDEL COUNTY	**11,657**	**18,257**	**17,605**	**652**	**14,469**	**14,098**	**371**	**15,445**
Civil	9,605	11,967	11,473	494	8,810	8,607	203	12,762
Criminal	1,601	2,822	2,664	158	2,413	2,245	168	2,010
Juvenile	451	3,468	3,468	—	3,246	3,246	—	673
CARROLL COUNTY	**2,360**	**3,603**	**3,403**	**200**	**3,327**	**3,102**	**225**	**2,636**
Civil	1,489	1,883	1,833	50	1,718	1,651	67	1,654
Criminal	722	1,162	1,012	150	1,117	959	158	767
Juvenile	149	558	558	—	492	492	—	215
HOWARD COUNTY	**3,278**	**4,821**	**4,500**	**321**	**4,209**	**3,949**	**260**	**3,890**
Civil	2,539	2,470	2,330	140	2,045	1,951	94	2,964
Criminal	673	1,659	1,478	181	1,533	1,367	166	799
Juvenile	66	692	692	—	631	631	—	127

See note on Table CC-6.1.

TABLE CC-6.6

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE SIXTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SIXTH CIRCUIT	**20,290**	**24,526**	**23,544**	**982**	**20,887**	**20,130**	**757**	**23,929**
Civil	14,421	14,492	14,063	429	12,331	12,060	271	16,582
Criminal	4,630	5,960	5,407	553	4,408	3,922	486	6,182
Juvenile	1,239	4,074	4,074	—	4,148	4,148	—	1,165
FREDERICK COUNTY	**1,309**	**3,163**	**3,078**	**85**	**2,802**	**2,730**	**72**	**1,670**
Civil	1,051	2,134	2,076	58	1,957	1,910	47	1,228
Criminal	203	644	617	27	473	448	25	374
Juvenile	55	385	385	—	372	372	—	68
MONTGOMERY COUNTY	**18,981**	**21,363**	**20,466**	**897**	**18,085**	**17,400**	**685**	**22,259**
Civil	13,370	12,358	11,978	371	10,374	10,150	224	15,354
Criminal	4,427	5,316	4,790	526	3,935	3,474	461	5,808
Juvenile*	1,184	3,689	3,689	—	3,776	3,776	—	1,097

*Juvenile causes processed at the District Court level.

See note on Table CC-6.1.

TABLE CC-6.7

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE SEVENTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SEVENTH CIRCUIT	**24,450**	**39,422**	**38,514**	**908**	**33,191**	**32,375**	**816**	**30,681**
Civil	19,811	23,406	22,915	491	18,139	17,709	430	25,078
Criminal	3,482	8,654	8,237	417	7,854	7,468	386	4,282
Juvenile	1,157	7,362	7,362	—	7,198	7,198	—	1,321
CALVERT COUNTY	**832**	**1,585**	**1,517**	**68**	**1,582**	**1,501**	**81**	**835**
Civil	630	896	845	51	892	823	69	634
Criminal	115	369	352	17	352	340	12	132
Juvenile	87	320	320	—	338	338	—	69
CHARLES COUNTY	**1,603**	**3,804**	**3,705**	**99**	**3,549**	**3,456**	**93**	**1,858**
Civil	1,098	2,212	2,170	42	2,104	2,068	36	1,206
Criminal	378	774	717	57	646	589	57	506
Juvenile	127	818	818	—	799	799	—	146
PRINCE GEORGE'S COUNTY	**21,256**	**32,542**	**31,944**	**598**	**26,660**	**26,091**	**569**	**27,138**
Civil	17,505	19,309	19,029	280	14,269	13,991	278	22,545
Criminal	2,868	7,138	6,820	318	6,497	6,206	291	3,509
Juvenile	883	6,095	6,095	—	5,894	5,894	—	1,084
ST. MARY'S COUNTY	**759**	**1,491**	**1,348**	**143**	**1,400**	**1,327**	**73**	**850**
Civil	578	989	871	118	874	827	47	693
Criminal	121	373	348	25	359	333	26	135
Juvenile	60	129	129	—	167	167	—	22

See note on Table CC-6.1.

TABLE CC-6.8

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE EIGHTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—EIGHTH CIRCUIT BALTIMORE CITY	**72,550**	**50,695**	**49,376**	**1,319**	**41,471**	**40,060**	**1,411**	**81,774**
Total—Civil Courts	52,976	24,187	23,618	569	16,367	15,844	523	60,796
Total—Criminal Court	7,700	15,129	14,379	750	14,859	13,971	888	7,970
Total—Juvenile Court	11,874	11,379	11,379	—	10,245	10,245	—	13,008

See note on Table CC-6.1.

TABLE CC-6.9

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE STATE OF MARYLAND

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—STATE OF MARYLAND	**166,249**	**189,899**	**183,194**	**6,705**	**159,559**	**153,781**	**5,778**	**196,589**
Civil	123,036	106,716	103,398	3,318	83,646	81,284	2,362	146,106
Criminal	26,593	48,660	45,273	3,387	43,014	39,598	3,416	32,239
Juvenile*	16,620	34,523	34,523	—	32,899	32,899	—	18,244

*Includes juvenile causes processed by the District Court for Montgomery County.

See note on Table CC-6.1.

TABLE CC-7

PERCENTAGES OF ORIGINAL CASES FILED AND REOPENED CASES FILED

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	CIVIL		CRIMINAL		JUVENILE		TOTAL	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIRST CIRCUIT	**4,797**	**63.5**	**2,142**	**28.4**	**613**	**8.1**	**7,552**	**100.0**
Dorchester	1,415	77.0	286	15.6	136	7.4	1,837	100.0
Somerset	687	73.1	190	20.2	63	6.7	940	100.0
Wicomico	1,450	54.8	976	36.9	218	8.3	2,644	100.0
Worcester	1,245	58.4	690	32.4	196	9.2	2,131	100.0
SECOND CIRCUIT	**3,989**	**67.7**	**1,219**	**20.7**	**683**	**11.6**	**5,891**	**100.0**
Caroline	697	71.3	179	18.3	101	10.4	977	100.0
Cecil	1,601	67.4	456	19.2	319	13.4	2,376	100.0
Kent	379	68.8	127	23.0	45	8.2	551	100.0
Queen Anne's	644	68.2	194	20.6	106	11.2	944	100.0
Talbot	668	64.1	263	25.2	112	10.7	1,043	100.0
THIRD CIRCUIT	**15,153**	**53.2**	**8,871**	**31.1**	**4,463**	**15.7**	**28,487**	**100.0**
Baltimore	12,044	52.0	7,374	31.9	3,719	16.1	23,137	100.0
Harford	3,109	58.1	1,497	28.0	744	13.9	5,350	100.0
FOURTH CIRCUIT	**4,372**	**65.8**	**1,042**	**15.7**	**1,231**	**18.5**	**6,645**	**100.0**
Allegany	1,134	58.6	362	18.7	439	22.7	1,935	100.0
Garrett	503	73.5	91	13.3	90	13.2	684	100.0
Washington	2,735	67.9	589	14.6	702	17.5	4,026	100.0
FIFTH CIRCUIT	**16,320**	**61.2**	**5,643**	**21.1**	**4,718**	**17.7**	**26,681**	**100.0**
Anne Arundel	11,967	65.5	2,822	15.5	3,468	19.0	18,257	100.0
Carroll	1,883	52.3	1,162	32.2	558	15.5	3,603	100.0
Howard	2,470	51.2	1,659	34.4	692	14.4	4,821	100.0
SIXTH CIRCUIT	**14,492**	**59.1**	**5,960**	**24.3**	**4,074**	**16.6**	**24,526**	**100.0**
Frederick	2,134	67.5	644	20.3	385	12.2	3,163	100.0
Montgomery*	12,358	57.8	5,316	24.9	3,689	17.3	21,363	100.0
SEVENTH CIRCUIT	**23,406**	**59.4**	**8,654**	**21.9**	**7,362**	**18.7**	**39,422**	**100.0**
Calvert	896	56.5	369	23.3	320	20.2	1,585	100.0
Charles	2,212	58.2	774	20.3	818	21.5	3,804	100.0
Prince George's	19,309	59.3	7,138	22.0	6,095	18.7	32,542	100.0
St. Mary's	989	66.3	373	25.0	129	8.7	1,491	100.0
EIGHTH CIRCUIT	**24,187**	**47.7**	**15,129**	**29.9**	**11,379**	**22.4**	**50,695**	**100.0**
Baltimore City	24,187	47.7	15,129	29.9	11,379	22.4	50,695	100.0
STATE	**106,716**	**56.2**	**48,660**	**25.6**	**34,523**	**18.2**	**189,899**	**100.0**

*Juvenile causes heard at District Court level.

TABLE CC-8

CATEGORIES OF FILINGS
ORIGINAL CASES FILED AND REOPENED CASES FILED

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	**1,415**	**687**	**1,450**	**1,245**	**697**	**1,601**	**379**	**644**	**668**	**12,044**	**3,109**	**1,134**	**503**	**2,735**	**11,967**	**1,883**	**2,470**	**2,134**	**12,358**	**896**	**2,212**	**19,309**	**989**	**24,187**	**106,716**
TORT:																									
Motor Tort	19	14	45	35	7	66	6	38	18	1,390	175	64	18	72	710	80	211	96	541	27	99	1,584	53	3,731	9,099
Other Tort	4	1	22	19	5	12	4	3	15	1,024	48	11	11	51	136	29	67	57	238	8	35	564	25	885	3,274
CONTRACT	13	4	75	109	12	15	31	20	15	1,150	54	34	13	60	593	109	233	129	1,660	36	78	1,060	61	745	6,309
CONDEMNATION	5	1	0	0	2	0	4	3	1	65	10	0	1	1	34	0	20	2	7	4	2	19	0	81	262
CONTESTED CONFESSED JUDGMENT	0	0	1	4	0	4	0	0	0	26	4	2	0	9	2	6	7	1	6	2	1	6	0	235	316
OTHER LAW	12	13	29	22	1	119	11	1	59	432	184	74	15	5	579	2	0	38	80	25	1	19	22	2,940	4,683
APPEALS:																									
District Court—On Record	3	1	6	1	0	4	2	0	0	111	16	3	3	3	15	1	22	9	32	4	8	5	1	0	250
District Court—De Novo	2	0	1	6	2	3	0	0	3	77	17	4	3	1	196	2	27	9	65	10	2	40	5	155	630
Administrative Agencies	19	3	23	28	9	59	18	17	27	475	93	52	13	37	283	47	91	40	274	37	32	235	112	414	2,438
UNREPORTED LAW	2	0	2	0	1	3	0	0	0	13	5	2	0	5	7	4	0	0	7	0	2	8	0	23	84
DIVORCE/NULLITY	220	128	500	251	152	446	109	147	192	3,592	941	447	146	827	3,263	688	765	652	3,299	257	491	5,256	322	4,054	27,145
OTHER DOMESTIC RELATIONS	76	151	188	153	103	420	95	113	88	990	541	80	147	670	1,107	401	332	451	1,832	132	414	3,923	147	455	13,009
ADOPTION/GUARDIANSHIP	47	3	40	26	15	45	10	11	29	283	123	43	19	81	234	55	115	87	408	32	63	400	13	526	2,708
PATERNITY	696	316	385	309	214	237	37	178	187	933	433	138	41	392	2,284	52	118	309	789	104	682	3,355	45	6,197	18,431
OTHER GENERAL	292	50	132	281	173	168	52	113	33	1,467	462	177	70	515	2,365	401	445	247	2,536	216	301	2,770	178	3,742	17,186
UNREPORTED CATEGORY	5	2	1	1	1	0	0	0	1	16	3	3	3	6	159	6	17	7	584	2	1	65	5	4	892
JUVENILE—TOTALS	**136**	**63**	**218**	**196**	**101**	**319**	**45**	**106**	**112**	**3,719**	**744**	**439**	**90**	**702**	**3,468**	**558**	**692**	**385**	**3,689**	**320**	**818**	**6,095**	**129**	**11,379**	**34,523**
DELINQUENCY	100	52	156	159	70	245	29	69	78	3,060	581	177	33	486	2,791	432	658	299	2,524	245	696	4,801	118	8,979	26,838
ADULT	0	0	0	3	0	1	0	7	0	4	0	145	0	1	0	10	1	1	6	1	0	10	0	9	199
CHILD IN NEED OF SUPERVISION	2	0	9	0	4	12	0	5	5	89	1	35	13	53	11	11	4	7	6	1	4	7	0	151	430
CHILD IN NEED OF ASSISTANCE	34	11	53	31	26	61	15	24	28	564	152	80	44	161	661	100	28	75	1,135	73	117	1,264	11	2,235	6,983
UNREPORTED CATEGORY	0	0	0	3	1	0	1	1	1	2	10	2	0	1	5	5	1	3	18	0	1	13	0	5	73
CRIMINAL—TOTALS	**286**	**190**	**976**	**690**	**179**	**456**	**127**	**194**	**263**	**7,374**	**1,497**	**362**	**91**	**589**	**2,822**	**1,162**	**1,659**	**644**	**5,316**	**369**	**774**	**7,138**	**373**	**15,129**	**48,660**
INDICTMENT INFORMATION	102	64	304	221	85	231	71	89	135	2,194	541	134	62	321	1,653	317	718	394	1,811	271	590	2,375	188	5,416	18,287
APPEALS FROM																									
DISTRICT COURT:																									
Motor Vehicle	15	5	24	29	8	39	2	7	15	429	75	29	5	28	70	88	136	21	328	5	21	144	10	311	1,844
Other	9	7	28	19	10	30	14	8	15	243	14	40	3	28	88	62	45	6	198	12	36	174	15	439	1,543
JURY TRIAL PRAYED—MOTOR	56	35	224	172	18	59	6	45	26	1,102	433	69	5	65	354	302	376	133	1,663	27	37	2,040	61	988	8,296
JURY TRIAL PRAYED—OTHER	96	71	384	239	52	79	25	36	65	2,261	329	86	14	130	568	322	377	67	1,167	47	72	2,308	93	7,847	16,735
NONSUPPORT	0	0	0	0	0	0	0	0	0	1,067	5	0	0	0	73	0	0	0	0	0	0	0	0	0	1,145
POST CONVICTION	5	0	0	0	1	1	0	0	3	1	8	0	2	14	9	2	7	0	24	5	5	73	2	128	290
UNREPORTED CATEGORY	3	8	12	10	5	17	9	9	4	77	92	4	0	3	7	69	0	23	125	2	13	24	4	0	520

TABLE CC-9

CATEGORIES OF TERMINATIONS
TERMINATIONS OF ORIGINAL CASES FILED AND REOPENED CASES FILED

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	**1,579**	**708**	**1,319**	**1,209**	**729**	**1,428**	**297**	**626**	**620**	**9,758**	**2,175**	**864**	**498**	**2,426**	**8,810**	**1,718**	**2,045**	**1,957**	**10,374**	**892**	**2,104**	**14,269**	**874**	**16,367**	**83,646**
TORT:																									
Motor Tort	41	9	42	31	4	37	4	21	17	1,174	129	60	13	58	432	88	125	87	722	23	85	1,308	35	2,066	6,611
Other Tort	7	5	25	22	6	6	6	3	17	535	27	25	21	23	126	40	43	33	449	10	40	627	23	522	2,641
CONTRACT	30	6	67	120	5	18	25	23	12	981	65	52	26	69	344	147	150	111	1,335	43	77	1,021	35	498	5,260
CONDEMNATION	2	4	0	0	4	2	0	1	0	51	2	7	2	7	12	1	7	5	13	6	3	36	0	25	190
CONTESTED CONFESSED JUDGMENT	0	3	3	3	0	1	0	0	2	14	0	1	1	7	3	5	5	2	2	0	3	3	1	46	105
OTHER LAW	34	10	26	28	3	67	7	3	55	383	53	36	7	33	194	14	13	23	165	28	3	44	9	1,975	3,213
APPEALS:																									
District Court—On Record	3	0	3	1	0	3	2	0	1	65	6	1	0	6	2	3	28	8	9	14	6	5	0	1	167
District Court—De Novo	1	0	1	3	1	4	0	0	1	60	16	3	2	3	75	5	15	5	17	28	3	6	2	153	404
Administrative Agencies	28	1	16	17	6	27	6	11	7	304	65	58	11	31	126	59	51	34	198	27	27	267	45	369	1,791
UNREPORTED LAW	5	0	1	0	1	0	0	0	0	2	0	0	0	0	0	0	0	1	4	0	0	1	0	4	19
DIVORCE/NULLITY	275	118	462	241	169	430	94	150	191	2,956	703	311	144	704	2,753	587	706	625	2,839	239	498	4,473	288	3,465	23,421
OTHER DOMESTIC RELATIONS	70	135	165	142	139	392	79	104	80	869	313	45	153	598	1,024	356	320	407	1,485	116	407	2,123	161	301	9,984
ADOPTION/GUARDIANSHIP	51	2	33	24	16	44	9	15	25	317	108	38	21	74	236	50	119	91	369	29	64	371	27	539	2,672
PATERNITY	736	346	351	284	216	228	34	178	173	619	311	85	32	415	1,820	46	77	303	610	112	609	1,803	79	3,337	12,804
OTHER GENERAL	288	66	115	285	157	165	31	111	34	1,330	350	127	59	371	1,593	302	374	211	1,966	211	270	2,097	155	3,063	13,731
UNREPORTED CATEGORY	8	3	9	8	2	4	0	6	5	98	27	15	6	27	70	15	12	11	191	6	9	84	14	3	633
JUVENILE—TOTALS	**135**	**51**	**227**	**162**	**91**	**302**	**42**	**103**	**106**	**3,861**	**697**	**403**	**87**	**672**	**3,246**	**492**	**631**	**372**	**3,776**	**338**	**799**	**5,894**	**167**	**10,245**	**32,899**
DELINQUENCY	101	41	163	135	64	232	26	64	75	3,208	543	162	33	476	2,588	378	598	287	2,574	248	688	4,632	151	7,999	25,466
ADULT	0	0	0	2	0	1	0	8	0	4	0	143	0	1	0	14	1	1	6	1	0	5	0	5	192
CHILD IN NEED OF SUPERVISION	2	0	9	0	5	8	1	4	4	86	1	33	13	47	10	9	8	7	9	1	4	7	0	64	332
CHILD IN NEED OF ASSISTANCE	32	10	55	23	22	61	15	27	27	561	153	64	41	147	644	88	23	75	1,165	88	107	1,238	16	2,174	6,856
UNREPORTED CATEGORY	0	0	0	2	0	0	0	0	0	2	0	1	0	1	4	3	1	2	22	0	0	12	0	3	53
CRIMINAL—TOTALS	**246**	**139**	**829**	**601**	**166**	**391**	**88**	**180**	**179**	**5,924**	**1,246**	**286**	**107**	**448**	**2,413**	**1,117**	**1,533**	**473**	**3,935**	**352**	**646**	**6,497**	**359**	**14,859**	**43,014**
INDICTMENT INFORMATION	94	57	245	205	96	216	50	91	98	1,846	476	90	75	259	1,381	290	730	238	1,314	265	501	2,244	167	5,361	16,389
APPEALS FROM DISTRICT COURT:																									
Motor Vehicle	10	2	29	28	11	39	2	8	12	453	80	36	7	29	81	94	120	17	310	4	20	127	11	382	1,912
Other	15	4	20	16	7	27	10	6	9	206	16	51	6	25	87	64	46	8	51	8	37	164	15	506	1,504
JURY TRIAL PRAYED—MOTOR	39	27	199	152	13	49	5	39	19	939	378	57	4	50	311	348	322	142	1,347	28	25	1,844	70	943	7,350
JURY TRIAL PRAYED—OTHER	82	49	336	200	37	57	21	33	40	1,825	287	52	14	80	510	319	311	68	800	42	52	2,033	93	7,553	14,894
NONSUPPORT	0	0	0	0	0	0	0	0	0	655	3	0	0	0	42	0	0	0	0	0	0	0	0	0	700
POST CONVICTION	6	0	0	0	2	2	0	1	1	0	4	0	1	5	1	2	4	0	10	5	11	85	3	114	257
UNREPORTED CATEGORY	0	0	0	0	0	1	0	2	0	0	2	0	0	0	0	0	0	0	3	0	0	0	0	0	8

TABLE CC-10

COURT TRIALS, JURY TRIALS AND HEARINGS BY COUNTY, CIRCUIT AND FUNCTIONAL AREA

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	TOTAL (STATE)
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
CASES TRIED BY COUNTY & CIRCUIT																									
Civil																									
Court Trials	9	2	106	44	108	331	5	13	3	379	441	126	82	71	353	169	185	264	594	146	445	2,219	36	1,086	7,217
Jury Trials	18	15	11	21	5	9	2	8	10	102	13	34	3	26	119	24	28	36	192	15	22	304	7	124	1,148
Criminal																									
Court Trials	84	36	141	212	9	41	1	48	42	144	66	30	8	33	340	91	249	126	82	18	15	31	6	518	2,371
Jury Trials	26	10	45	44	14	68	4	4	8	44	37	34	14	45	82	5	46	43	206	14	38	137	4	273	1,245
COUNTY TOTALS																									
Court Trials	93	38	247	256	117	372	6	61	45	523	507	156	90	104	693	260	434	390	676	164	460	2,250	42	1,604	9,588
Jury Trials	44	25	56	65	19	77	6	12	18	146	50	68	17	71	201	29	74	79	398	29	60	441	11	397	2,393
TOTAL	137	63	303	321	136	449	12	73	63	669	557	224	107	175	894	289	508	469	1,074	193	520	2,691	53	2,001	11,981
CIRCUIT TOTALS	**1ST CIRCUIT**				**2ND CIRCUIT**					**3RD CIRCUIT**		**4TH CIRCUIT**			**5TH CIRCUIT**			**6TH CIRCUIT**		**7TH CIRCUIT**				**8TH CIRCUIT**	
Court Trials	634				601					1,030		350			1,387			1,066		2,916				1,604	9,588
Jury Trials	190				132					196		156			304			477		541				397	2,393
TOTAL	**824**				**733**					**1,226**		**506**			**1,691**			**1,543**		**3,457**				**2,001**	**11,981**
CIVIL, CRIMINAL, AND JUVENILE HEARINGS																									
Civil Hearings	405	462	301	473	48	304	58	352	325	3,171	1,211	182	126	533	5,795	950	1,751	219	8,001	289	918	16,608	135	1,819	44,436
Criminal Hearings	215	101	1,010	622	374	821	184	250	262	6,773	2,369	397	174	678	4,411	1,853	1,809	591	13,220	610	1,104	15,174	544	15,922	69,468
Juvenile Hearings	85	51	276	266	156	593	68	183	202	4,984	696	399	113	810	5,086	999	1,011	723	5,649	733	1,745	11,265	301	23,102	59,496
COUNTY TOTALS	705	614	1,587	1,361	578	1,718	310	785	789	14,928	4,276	978	413	2,021	15,292	3,802	4,571	1,533	26,870	1,632	3,767	43,047	980	40,843	173,400
CIRCUIT TOTALS	**1ST CIRCUIT 4,267**				**2ND CIRCUIT 4,180**					**3RD CIRCUIT 19,204**		**4TH CIRCUIT 3,412**			**5TH CIRCUIT 23,665**			**6TH CIRCUIT 28,403**		**7TH CIRCUIT 49,426**				**8TH CIRCUIT 40,843**	**173,400**

NOTE: Information on criminal court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-11

APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES AND PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	TOTAL (STATE)
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES																									
LAW																									
District Court—De Novo	3	1	6	1	0	4	2	0	0	111	16	3	3	3	15	1	22	9	32	4	8	5	1	0	250
—On Record	2	0	1	6	2	3	0	0	3	77	17	4	3	1	196	2	27	9	65	10	2	40	5	155	630
Administrative Agencies	19	3	23	28	9	59	18	17	27	475	93	52	13	37	283	47	91	40	274	37	32	235	112	414	2,438
Total	24	4	30	35	11	66	20	17	30	663	126	59	19	41	494	50	140	58	371	51	42	280	118	569	3,318
CRIMINAL																									
Motor Vehicle	15	5	24	29	8	39	2	7	15	429	75	29	5	28	70	88	136	21	328	5	21	144	10	311	1,844
Other	9	7	28	19	10	30	14	8	15	243	14	40	3	28	88	62	45	6	198	12	36	174	15	439	1,543
Total	24	12	52	48	18	69	16	15	30	672	89	69	8	56	158	150	181	27	526	17	57	318	25	750	3,387
TOTAL	48	16	82	83	29	135	36	32	60	1,335	215	128	27	97	652	200	321	85	897	68	99	598	143	1,319	6,705
PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT																									
Prayers for Jury Trials and Appeals:																									
County	181	119	667	466	90	214	49	96	124	4,223	884	231	33	255	1,291	777	983	245	3,453	105	176	4,711	185	9,740	29,298
Circuit	1,433				573					5,107		519			3,051			3,698		5,177				9,740	29,298
Circuit Court Filings:																									
County	1,837	940	2,644	2,131	977	2,376	551	944	1,043	23,137	5,350	1,935	684	4,026	18,257	3,603	4,821	3,163	21,363	1,585	3,804	32,542	1,491	50,695	189,899
Circuit	7,552				5,891					28,487		6,645			26,681			24,526		39,422				50,695	189,899
Percentage of Circuit Court Filings that are Jury Trials and Appeals:																									
County	9.9	12.7	25.2	21.9	9.2	9.0	8.9	10.2	11.9	18.3	16.5	11.9	4.8	6.3	7.1	21.6	20.4	7.7	16.2	6.6	4.6	14.5	12.4	19.2	15.4
Circuit	19.0				9.7					17.9		7.8			11.4			15.1		13.1				19.2	15.4

TABLE CC-12

AVERAGE DAYS FROM FILING TO DISPOSITION

	Civil			Criminal			Juvenile		
	1983-84	**1984-85**	**1985-86**	**1983-84**	**1984-85**	**1985-86**	**1983-84**	**1984-85**	**1985-86**
FIRST CIRCUIT									
Dorchester	145	147	141	147	132	113	37	37	32
Somerset	107	107	116	90	111	115	12	26	14
Wicomico	139	148	154	88	86	89	30	32	34
Worcester	176	175	174	129	117	110	51	47	59
SECOND CIRCUIT									
Caroline	180	143	197	128	125	163	47	59	50
Cecil	143	153	152	143	157	159	42	48	46
Kent	130	129	107	161	159	129	29	65	38
Queen Anne's	147	88	160	131	123	123	37	40	35
Talbot	124	155	158	114	143	126	42	52	69
THIRD CIRCUIT									
Baltimore	223	216	210	104	99	106	61	43	51
Harford	174	182	176	157	173	161	53	48	55
FOURTH CIRCUIT									
Allegany	164	261	232	110	126	144	27	29	38
Garrett	183	192	189	131	125	160	31	32	51
Washington	153	179	170	132	130	157	40	36	43
FIFTH CIRCUIT									
Anne Arundel	202	173	184	138	144	143	85	82	74
Carroll	161	147	151	160	167	150	68	68	69
Howard	263	261	225	125	131	131	102	71	64
SIXTH CIRCUIT									
Frederick	152	169	173	107	103	111	65	59	68
Montgomery	217	223	245	134	142	168	77	92	85
SEVENTH CIRCUIT									
Calvert	151	170	189	101	96	105	70	73	77
Charles	183	181	193	83	152	154	62	65	66
Prince George's	249	246	241	120	104	109	49	63	64
St. Mary's	161	178	184	105	135	114	59	81	73
EIGHTH CIRCUIT									
Baltimore City	206	187	194	121	93	76	62	63	68
STATE	208	200	204	121	111	106	61	64	66

NOTE: A small number of lengthy cases can increase an average, particularly in a jurisdiction with a small caseload. For that reason, civil cases over 721 days old, criminal cases over 360 days old, and juvenile causes over 271 days old have been excluded in the above calculations. Approximately 90 to 95 percent of the cases are disposed of within those time periods.

TABLE CC-13

POPULATION IN RELATION TO CIRCUIT COURT CASELOAD*

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	POPULATION	POPULATION AND CASELOAD PER CIRCUIT COURT JUDGE						CASES FILED IN THE CIRCUIT COURT PER THOUSAND POPULATION			RATIO OF JURY TRIALS TO POPULATION	
				Cases Filed Per Judge		Cases Terminated Per Judge						
		No. of Judges	Population Per Judge	Civil**	Criminal	Civil**	Criminal	Civil**	Criminal	Total	No. of Jury Trials	Per 1000 Population
FIRST CIRCUIT												
Dorchester	30,200	1	30,200	1,551	286	1,714	246	47	9	56	44	1.46
Somerset	18,300	1	18,300	750	190	759	139	38	10	48	25	1.37
Wicomico	69,700	2	34,850	834	488	773	415	21	14	35	56	.80
Worcester	35,200	2	17,600	721	345	686	301	35	20	55	65	1.85
SECOND CIRCUIT												
Caroline	24,200	1	24,200	798	179	820	166	29	7	36	19	.79
Cecil	68,100	2	34,050	960	228	865	196	24	7	31	77	1.13
Kent	16,900	1	16,900	424	127	339	88	22	8	30	6	.36
Queen Anne's	29,200	1	29,200	750	194	729	180	22	7	29	12	.41
Talbot	27,200	1	27,200	780	263	726	179	25	10	35	18	.66
THIRD CIRCUIT												
Baltimore	688,100	13	52,931	1,213	567	1,048	456	18	11	29	146	.21
Harford	151,000	4	37,750	963	374	718	312	21	10	31	50	.33
FOURTH CIRCUIT												
Allegany	77,300	2	38,650	787	181	634	143	15	5	20	68	.88
Garrett	27,300	1	27,300	593	91	585	107	18	3	21	17	.62
Washington	113,200	3	37,733	1,146	196	1,033	149	24	5	29	71	.63
FIFTH CIRCUIT												
Anne Arundel	404,200	9	44,911	1,715	314	1,340	268	30	7	37	201	.50
Carroll	108,700	2	54,350	1,221	581	1,105	559	17	11	28	29	.27
Howard	140,800	4	35,200	791	415	669	383	18	12	30	74	.53
SIXTH CIRCUIT												
Frederick	130,900	3	43,633	840	215	776	158	16	5	21	79	.60
Montgomery	631,200	13	48,554	951	409	798	303	20	8	28	398	.63
SEVENTH CIRCUIT												
Calvert	41,800	1	41,800	1,216	369	1,230	352	21	9	30	29	.69
Charles	87,200	2	43,600	1,515	387	1,452	323	25	9	34	60	.69
Prince George's	675,300	16	42,206	1,588	446	1,260	406	29	11	40	441	.65
St. Mary's	68,200	1	68,200	1,118	373	1,041	359	15	5	20	11	.16
EIGHTH CIRCUIT												
Baltimore City	759,200	23	33,009	1,546	658	1,157	646	32	20	52	397	.52
STATE	4,423,400	109	40,582	1,262	446	1,034	395	24	11	35	2,393	.54

*Population estimate for July 1, 1986, issued by the Maryland Center for Health Statistics.

**Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

TABLE CC-14

FIVE-YEAR COMPARATIVE TABLE CASES FILED AND TERMINATED PER JUDGE

FISCAL 1982—FISCAL 1986

	FILED		TERMINATED	
	Civil*	Criminal**	Civil*	Criminal**
1981-1982	1,050	297	933	281
1982-1983	1,100	325	906	279
1983-1984	1,205	353	1,092	331
1984-1985	1,209	397	1,049	369
1985-1986	1,262	446	1,034	395

*Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

**Baltimore City changed its counting procedures from individual charges to cases in July 1981. Cases are defined as charges arising out of a single incident. Thus, one case represents one incident.

NOTE: In Fiscal Year 1984-85, the "Civil" figures were incorrect. Adjustments have been made and the above figures are correct.

TABLE CC-15

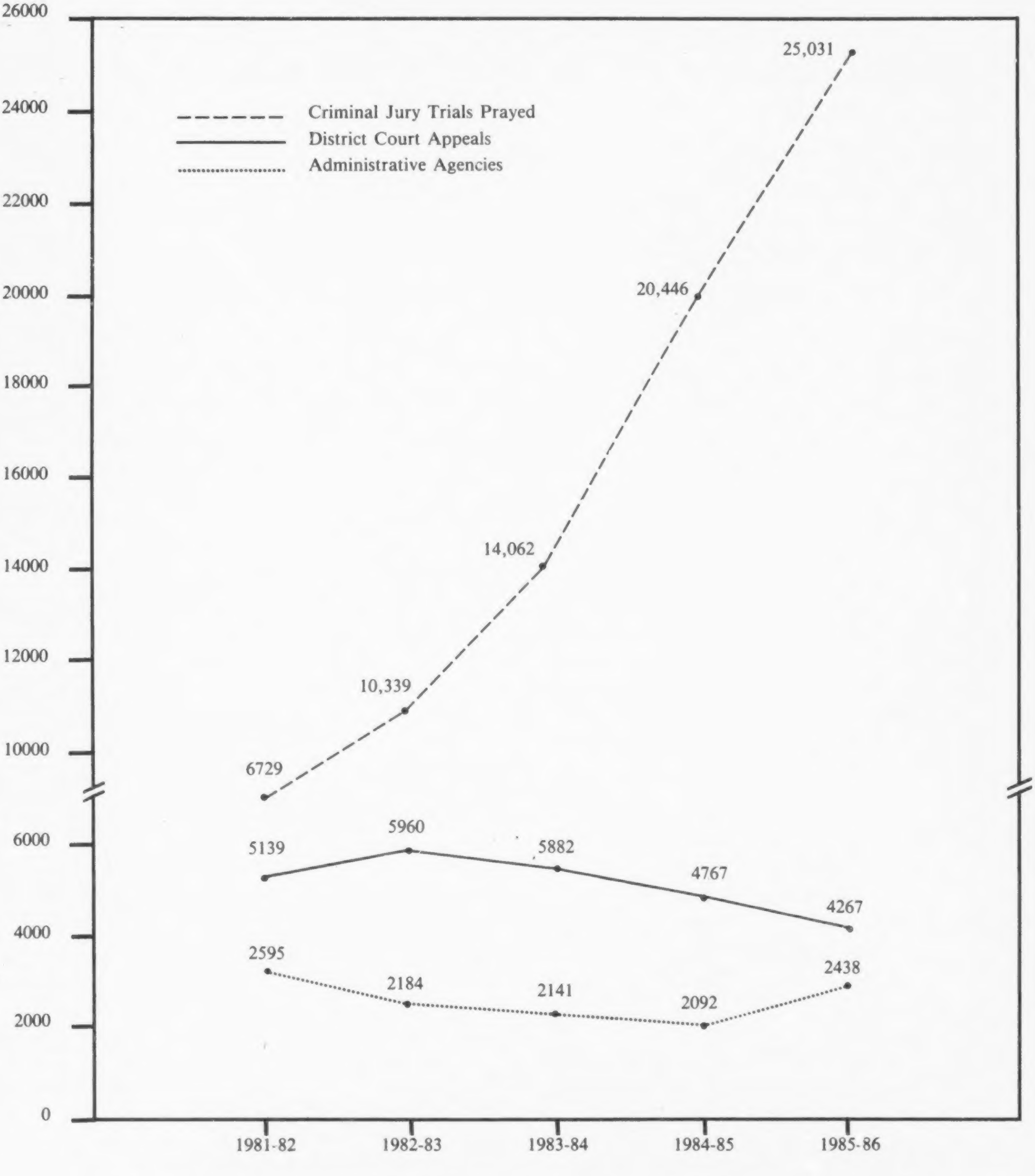
FIVE-YEAR COMPARATIVE TABLE
APPEALS FROM THE DISTRICT COURT AND ADMINISTRATIVE AGENCIES

FISCAL 1982—FISCAL 1986

	1981-1982		1982-1983		1983-1984		1984-1985		1985-1986	
	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies
FIRST CIRCUIT	**293**	**65**	**309**	**83**	**286**	**64**	**217**	**80**	**156**	**73**
Dorchester	52	17	29	26	41	15	35	22	29	19
Somerset	9	3	23	3	15	2	12	6	13	3
Wicomico	108	25	144	28	112	26	82	26	59	23
Worcester	124	20	113	26	118	21	88	26	55	28
SECOND CIRCUIT	**107**	**71**	**198**	**50**	**141**	**42**	**171**	**74**	**162**	**130**
Caroline	13	7	28	2	19	0	15	4	20	9
Cecil	52	16	79	17	61	20	97	31	76	59
Kent	7	12	29	10	11	6	11	8	18	18
Queen Anne's	20	14	37	4	24	11	23	18	15	17
Talbot	15	22	25	17	26	5	25	13	33	27
THIRD CIRCUIT	**1,061**	**359**	**1,209**	**402**	**1,074**	**433**	**1,007**	**494**	**982**	**568**
Baltimore	902	293	1,057	333	907	361	879	402	860	475
Harford	159	66	152	69	167	72	128	92	122	93
FOURTH CIRCUIT	**211**	**108**	**215**	**127**	**213**	**120**	**186**	**148**	**150**	**102**
Allegany	101	41	77	42	93	39	88	65	76	52
Garrett	26	7	25	14	13	10	16	18	14	13
Washington	84	60	113	71	107	71	82	65	60	37
FIFTH CIRCUIT	**826**	**247**	**1,022**	**253**	**1,045**	**298**	**762**	**357**	**752**	**421**
Anne Arundel	458	151	553	166	612	183	384	225	369	283
Carroll	139	40	211	38	196	49	148	41	153	47
Howard	229	56	258	49	237	66	230	91	230	91
SIXTH CIRCUIT	**529**	**212**	**857**	**277**	**973**	**295**	**745**	**317**	**668**	**314**
Frederick	63	31	64	27	104	36	102	29	45	40
Montgomery	466	181	793	250	869	259	643	288	623	274
SEVENTH CIRCUIT	**558**	**270**	**751**	**355**	**873**	**440**	**470**	**408**	**492**	**416**
Calvert	20	14	56	13	69	29	39	26	31	37
Charles	44	39	76	28	51	40	51	30	67	32
Prince George's	456	196	555	295	684	351	353	336	363	235
St. Mary's	38	21	64	19	69	20	27	16	31	112
EIGHTH CIRCUIT	**1,554**	**1,263**	**1,399**	**637**	**1,277**	**449**	**1,209**	**214**	**905**	**414**
Baltimore City	1,554	1,263	1,399	637	1,277	449	1,209	214	905	414
STATE	**5,139**	**2,595**	**5,960**	**2,184**	**5,882**	**2,141**	**4,767**	**2,092**	**4,267**	**2,438**

TABLE CC-16

FIVE-YEAR COMPARATIVE GRAPH APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES



NOTE: Jury trial prayers are slightly higher in Table CC-16 than in Table CC-5 because the data for Baltimore City is based on defendants in Table CC-5. In Table CC-16, the Baltimore City data is based on incidence.

TABLE CC-17

FIVE-YEAR COMPARATIVE TABLE
POST CONVICTION CASES FILED

FISCAL 1982—FISCAL 1986

	1981-82	1982-83	1983-84	1984-85	1985-86
FIRST CIRCUIT	**3**	**9**	**15**	**4**	**5**
Dorchester	2	6	14	4	5
Somerset	0	0	0	0	0
Wicomico	1	3	1	0	0
Worcester	0	0	0	0	0
SECOND CIRCUIT	**6**	**20**	**15**	**4**	**5**
Caroline	0	1	8	1	1
Cecil	0	5	2	3	1
Kent	0	0	0	0	0
Queen Anne's	6	9	5	0	0
Talbot	0	5	0	0	3
THIRD CIRCUIT	**14**	**7**	**13**	**5**	**9**
Baltimore	1	0	0	0	1
Harford	13	7	13	5	8
FOURTH CIRCUIT	**22**	**18**	**30**	**17**	**16**
Allegany	0	0	0	0	0
Garrett	0	3	5	2	2
Washington	22	15	25	15	14
FIFTH CIRCUIT	**16**	**6**	**24**	**17**	**18**
Anne Arundel	6	0	0	11	9
Carroll	1	0	0	0	2
Howard	9	6	24	6	7
SIXTH CIRCUIT	**13**	**10**	**21**	**39**	**24**
Frederick	0	0	0	0	0
Montgomery	13	10	21	39	24
SEVENTH CIRCUIT	**74**	**95**	**92**	**97**	**85**
Calvert	4	3	1	6	5
Charles	3	18	14	14	5
Prince George's	62	69	75	74	73
St. Mary's	5	5	2	3	2
EIGHTH CIRCUIT	**6***	**90**	**191**	**172**	**128**
Baltimore City	6*	90	191	172	128
STATE	**154**	**255**	**401**	**355**	**290**

*Due to a reporting procedure, post conviction cases were not counted in Baltimore City in fiscal 1982.

TABLE CC-18

APPLICATIONS FOR REVIEW OF CRIMINAL SENTENCES

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

			TERMINATED, CONSIDERED AND DISPOSED OF		
	Filed During Year	**Withdrawn by Applicant**	**Original Sentence Unchanged**	**Original Sentence Increased**	**Original Sentence Decreased**
FIRST CIRCUIT					
Dorchester	2	0	2	0	0
Somerset	0	0	0	0	0
Wicomico	3	0	1	0	0
Worcester	7	0	5	0	0
SECOND CIRCUIT					
Caroline	11	0	10	0	0
Cecil	9	0	8	0	0
Kent	0	0	0	0	0
Queen Anne's	0	0	1	0	0
Talbot	1	0	1	0	0
THIRD CIRCUIT					
Baltimore	19	0	8	0	2
Harford	11	0	4	0	1
FOURTH CIRCUIT					
Allegany	3	0	0	1	0
Garrett	1	1	1	0	0
Washington	12	2	11	0	0
FIFTH CIRCUIT					
Anne Arundel	8	0	5	0	2
Carroll	2	1	0	0	0
Howard	3	0	1	0	1
SIXTH CIRCUIT					
Frederick	7	0	3	0	0
Montgomery	20	6	13	0	3
SEVENTH CIRCUIT					
Calvert	1	0	1	0	0
Charles	7	0	5	0	1
Prince George's	24	5	19	0	1
St. Mary's	9	2	4	0	4
EIGHTH CIRCUIT					
Baltimore City	95	0	72	0	0
STATE	255	17	175	1	15

TABLE CC-19

FIVE-YEAR COMPARATIVE TABLE CIVIL CASES FILINGS AND TERMINATIONS

FISCAL 1982—FISCAL 1986

	COMBINED ORIGINAL CASES FILED AND TERMINATED AND REOPENED CASES HEARD		COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED							
	1981-82		1982-83		1983-84		1984-85		1985-86	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**3,750**	**3,872**	**4,182**	**3,930**	**4,441**	**4,214**	**4,244**	**3,917**	**4,797**	**4,815**
Dorchester	881	831	892	756	941	861	1,071	1,014	1,415	1,579
Somerset	495	519	525	403	650	637	562	499	687	708
Wicomico	1,519	1,587	1,766	1,812	1,774	1,725	1,425	1,363	1,450	1,319
Worcester	855	935	999	959	1,076	991	1,186	1,041	1,245	1,209
SECOND CIRCUIT	**3,341**	**3,453**	**3,968**	**3,872**	**3,823**	**3,545**	**3,978**	**3,771**	**3,989**	**3,700**
Caroline	488	432	530	510	499	491	673	555	697	729
Cecil	1,394	1,450	1,614	1,651	1,514	1,353	1,701	1,612	1,601	1,428
Kent	281	327	285	278	310	284	270	297	379	297
Queen Anne's	619	688	758	728	753	702	671	704	644	626
Talbot	559	556	781	705	747	715	663	603	668	620
THIRD CIRCUIT	**11,405**	**11,545**	**12,767**	**12,770**	**13,328**	**12,262**	**14,168**	**11,591**	**15,153**	**11,933**
Baltimore	8,974	9,323	10,290	10,739	10,507	10,039	11,200	9,472	12,044	9,758
Harford	2,431	2,222	2,477	2,031	2,821	2,223	2,968	2,119	3,109	2,175
FOURTH CIRCUIT	**3,075**	**3,878**	**3,425**	**3,180**	**3,620**	**3,239**	**4,016**	**3,735**	**4,372**	**3,788**
Allegany	981	1,491	1,064	1,100	954	705	1,048	919	1,134	864
Garrett	411	434	455	476	511	539	510	518	503	498
Washington	1,683	1,953	1,906	1,604	2,155	1,995	2,458	2,298	2,735	2,426
FIFTH CIRCUIT	**10,121**	**8,330**	**11,770**	**9,044**	**14,583**	**13,985**	**16,743**	**14,166**	**16,320**	**12,573**
Anne Arundel	6,923	5,739	8,125	5,386	10,901	10,535	12,645	10,369	11,967	8,810
Carroll	1,219	1,089	1,712	1,747	1,667	1,532	1,784	1,549	1,883	1,718
Howard	1,979	1,502	1,933	1,911	2,015	1,918	2,314	2,248	2,470	2,045
SIXTH CIRCUIT	**10,614**	**7,735**	**13,371**	**11,069**	**13,667**	**12,587**	**13,838**	**13,474**	**14,492**	**12,331**
Frederick	1,843	2,127	1,773	1,891	1,957	1,796	1,883	1,901	2,134	1,957
Montgomery	8,771	5,608	11,598	9,178	11,710	10,791	11,955	11,573	12,358	10,374
SEVENTH CIRCUIT	**19,194**	**15,815**	**20,220**	**17,027**	**22,378**	**23,357**	**21,695**	**17,076**	**23,406**	**18,139**
Calvert	736	810	712	720	839	668	798	746	896	892
Charles	1,508	1,697	1,752	1,623	1,692	1,594	1,860	1,705	2,212	2,104
Prince George's	15,845	11,836	16,533	13,448	18,738	20,046	18,046	13,729	19,309	14,269
St. Mary's	1,105	1,472	1,223	1,236	1,109	1,049	991	896	989	874
EIGHTH CIRCUIT	**20,133**	**16,352**	**18,215**	**10,547**	**18,746**	**13,181**	**23,348**	**18,076**	**24,187**	**16,367**
Baltimore City	20,133	16,352	18,215	10,547	18,746	13,181	23,348	18,076	24,187	16,367
STATE	**81,633**	**70,980**	**87,918**	**71,439**	**94,586**	**86,370**	**102,030**	**85,806**	**106,716**	**83,646**

TABLE CC-20

CIVIL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	**4,815**	**226**	**4.7**	**161**	**3.3**	**65**	**1.4**
Dorchester	1,579	27	1.7	9	.6	18	1.1
Somerset	708	17	2.4	2	.3	15	2.1
Wicomico	1,319	117	8.9	106	8.0	11	.9
Worcester	1,209	65	5.4	44	3.6	21	1.8
SECOND CIRCUIT	**3,700**	**494**	**13.3**	**460**	**12.4**	**34**	**.9**
Caroline	729	113	15.5	108	14.8	5	.7
Cecil	1,428	340	23.8	331	23.2	9	.6
Kent	297	7	2.4	5	1.7	2	.7
Queen Anne's	626	21	3.4	13	2.1	8	1.3
Talbot	620	13	2.1	3	.5	10	1.6
THIRD CIRCUIT	**11,933**	**935**	**7.8**	**820**	**6.9**	**115**	**.9**
Baltimore	9,758	481	4.9	379	3.9	102	1.0
Harford	2,175	454	20.9	441	20.3	13	.6
FOURTH CIRCUIT	**3,788**	**342**	**9.0**	**279**	**7.4**	**63**	**1.6**
Allegany	864	160	18.5	126	14.6	34	3.9
Garrett	498	85	17.1	82	16.5	3	.6
Washington	2,426	97	4.0	71	2.9	26	1.1
FIFTH CIRCUIT	**12,573**	**878**	**7.0**	**707**	**5.6**	**171**	**1.4**
Anne Arundel	8,810	472	5.4	353	4.0	119	1.4
Carroll	1,718	193	11.2	169	9.8	24	1.4
Howard	2,045	213	10.4	185	9.0	28	1.4
SIXTH CIRCUIT	**12,331**	**1,086**	**8.8**	**858**	**7.0**	**228**	**1.8**
Frederick	1,957	300	15.3	264	13.5	36	1.8
Montgomery	10,374	786	7.6	594	5.7	192	1.9
SEVENTH CIRCUIT	**18,139**	**3,194**	**17.6**	**2,846**	**15.7**	**348**	**1.9**
Calvert	892	161	18.0	146	16.3	15	1.7
Charles	2,104	467	22.2	445	21.2	22	1.0
Prince George's	14,269	2,523	17.7	2,219	15.6	304	2.1
St. Mary's	874	43	4.9	36	4.1	7	.8
EIGHTH CIRCUIT	**16,367**	**1,210**	**7.4**	**1,086**	**6.6**	**124**	**.8**
Baltimore City	16,367	1,210	7.4	1,086	6.6	124	.8
STATE	**83,646**	**8,365**	**10.0**	**7,217**	**8.6**	**1,148**	**1.4**

TABLE CC-21

FIVE-YEAR COMPARATIVE TABLE CIVIL CASES TRIED

FISCAL 1982—FISCAL 1986

	1981-82	1982-83	1983-84	1984-85	1985-86
FIRST CIRCUIT	**195**	**218**	**173**	**264**	**226**
Dorchester	23	22	18	36	27
Somerset	31	23	25	24	17
Wicomico	117	117	85	112	117
Worcester	24	56	45	92	65
SECOND CIRCUIT	**352**	**343**	**401**	**551**	**494**
Caroline	4	9	50	104	113
Cecil	262	282	266	381	340
Kent	24	14	21	16	7
Queen Anne's	48	36	52	42	21
Talbot	14	2	12	8	13
THIRD CIRCUIT	**1,277**	**1,167**	**1,025**	**827**	**935**
Baltimore	750	597	515	437	481
Harford	527	570	510	390	454
FOURTH CIRCUIT	**357**	**449**	**311**	**262**	**342**
Allegany	124	138	74	98	160
Garrett	98	100	109	90	85
Washington	135	211	128	74	97
FIFTH CIRCUIT	**1,153**	**1,466**	**1,104**	**647**	**878**
Anne Arundel	868	772	614	304	472
Carroll	117	509	300	124	193
Howard	168	185	190	219	213
SIXTH CIRCUIT	**2,753**	**2,963**	**2,209**	**859**	**1,086**
Frederick	294	411	370	263	300
Montgomery	2,459	2,552	1,839	596	786
SEVENTH CIRCUIT	**2,660**	**2,139**	**1,415**	**1,466**	**3,194**
Calvert	101	122	113	127	161
Charles	406	337	311	338	467
Prince George's	2,115	1,626	943	918	2,523
St. Mary's	38	54	48	83	43
EIGHTH CIRCUIT	**971**	**354***	**1,343**	**1,635**	**1,210**
Baltimore City	971	354*	1,343	1,635	1,210
STATE	**9,718**	**9,099***	**7,981**	**6,511**	**8,365**

*Reporting of cases tried from Baltimore City is not completely available for fiscal 1983.

NOTE: See note on Table CC-10.

TABLE CC-22

CIVIL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
	Number of Cases	All Cases	Excluding Cases Over 721 Days	61 Days	181 Days	361 Days	721 Days	1081 Days
FIRST CIRCUIT								
Dorchester	789	472	141	39.3	55.0	66.2	76.3	84.8
Somerset	369	159	116	51.5	73.4	85.9	95.4	99.2
Wicomico	1,134	195	154	41.4	67.3	79.5	94.6	99.2
Worcester	942	193	174	32.8	60.7	81.3	98.0	99.5
SECOND CIRCUIT								
Caroline	460	240	197	26.1	58.5	74.8	93.9	99.1
Cecil	935	181	152	35.6	69.9	83.3	96.7	98.9
Kent	276	140	107	44.6	77.2	89.9	96.0	99.6
Queen Anne's	345	191	160	30.7	66.4	82.9	96.2	99.1
Talbot	397	208	158	34.8	65.0	82.6	94.0	98.5
THIRD CIRCUIT								
Baltimore	9,104	299	210	26.4	51.5	66.2	89.4	96.5
Harford	1,706	248	176	27.7	60.0	77.4	92.3	97.5
FOURTH CIRCUIT								
Allegany	740	328	232	21.1	44.5	63.2	88.4	95.8
Garrett	358	196	189	33.2	60.3	76.5	98.6	100.0
Washington	1,627	240	170	39.2	62.0	74.2	92.9	96.8
FIFTH CIRCUIT								
Anne Arundel	5,232	248	184	24.0	57.2	77.2	92.5	97.5
Carroll	1,334	322	151	26.8	58.0	71.8	88.2	92.6
Howard	1,777	288	225	15.5	48.7	70.9	92.5	97.7
SIXTH CIRCUIT								
Frederick	1,477	243	173	27.7	63.0	79.0	94.7	98.9
Montgomery	8,303	405	245	16.5	43.3	60.3	85.5	93.0
SEVENTH CIRCUIT								
Calvert	796	274	189	26.5	55.7	70.4	88.8	98.2
Charles	1,362	240	193	25.3	56.5	77.8	94.4	97.7
Prince George's	11,329	317	241	19.8	46.2	66.0	91.0	97.0
St. Mary's	828	202	184	23.6	61.5	81.3	97.8	99.4
EIGHTH CIRCUIT								
Baltimore City	15,715	303	194	25.9	55.5	70.1	87.2	96.8
STATE	67,335	299	204	24.7	53.1	69.9	89.8	96.5

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-12.

TABLE CC-23

FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES
FILINGS AND TERMINATIONS

FISCAL 1982—FISCAL 1986

	COMBINED ORIGINAL CASES FILED AND TERMINATED AND REOPENED CASES HEARD		COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED							
	1981-82*		1982-83		1983-84		1984-85		1985-86	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**1,263**	**2,048**	**1,493**	**1,399**	**1,489**	**1,494**	**1,594**	**1,512**	**2,142**	**1,815**
Dorchester	160	247	169	154	215	190	260	253	286	246
Somerset	92	92	115	61	108	122	155	150	190	139
Wicomico	609	778	686	652	668	685	632	637	976	829
Worcester	402	931	523	532	498	497	547	472	690	601
SECOND CIRCUIT	**1,041**	**1,099**	**1,020**	**1,058**	**915**	**908**	**956**	**925**	**1,219**	**1,004**
Caroline	109	105	146	129	123	124	142	116	179	166
Cecil	554	548	423	457	465	416	429	461	456	391
Kent	65	103	105	87	48	56	54	57	127	88
Queen Anne's	160	197	171	197	165	161	165	170	194	180
Talbot	153	146	175	188	114	151	166	121	263	179
THIRD CIRCUIT	**5,604**	**5,574**	**6,506**	**5,540**	**6,378**	**5,649**	**7,136**	**6,033**	**8,871**	**7,170**
Baltimore	4,718	4,636	5,564	4,820	5,211	4,806	5,799	4,967	7,374	5,924
Harford	886	938	942	720	1,167	843	1,337	1,066	1,497	1,246
FOURTH CIRCUIT	**846**	**1,027**	**743**	**792**	**729**	**718**	**844**	**770**	**1,042**	**841**
Allegany	230	294	166	201	219	178	248	232	362	286
Garrett	131	120	134	149	86	109	113	85	91	107
Washington	485	613	443	442	424	431	483	453	589	448
FIFTH CIRCUIT	**4,158**	**4,483**	**4,414**	**3,779**	**5,010**	**4,116**	**5,135**	**4,870**	**5,643**	**5,063**
Anne Arundel	2,485	2,559	2,421	2,189	2,493	1,925	2,562	2,313	2,822	2,413
Carroll	604	696	837	588	1,196	980	1,134	1,218	1,162	1,117
Howard	1,069	1,228	1,156	1,002	1,321	1,211	1,439	1,339	1,659	1,533
SIXTH CIRCUIT	**2,719**	**2,316**	**3,529**	**2,582**	**4,538**	**3,754**	**5,465**	**4,443**	**5,960**	**4,408**
Frederick	402	570	345	395	357	317	487	472	644	473
Montgomery	2,317	1,746	3,184	2,187	4,181	3,437	4,978	3,971	5,316	3,935
SEVENTH CIRCUIT	**4,696**	**4,790**	**5,823**	**5,120**	**6,747**	**6,609**	**7,987**	**7,208**	**8,654**	**7,854**
Calvert	226	328	167	133	206	193	342	281	369	352
Charles	479	489	678	553	571	517	613	571	774	646
Prince George's	3,785	3,703	4,744	4,226	5,645	5,607	6,707	6,038	7,138	6,497
St. Mary's	206	270	234	208	325	292	325	318	373	359
EIGHTH CIRCUIT	**10,248**	**7,586**	**10,334**	**8,459**	**10,932**	**11,210**	**13,430**	**13,772**	**15,129**	**14,859**
Baltimore City	10,248	7,586	10,334	8,459	10,932	11,210	13,430	13,772	15,129	14,859
STATE	**30,575**	**28,923**	**33,862**	**28,729**	**36,738**	**34,458**	**42,547**	**39,533**	**48,660**	**43,014**

*Baltimore changed its counting procedures from individual charges to cases in July 1981. Cases are defined as charges arising out of a single incident. Thus, one case represents one incident.

TABLE CC-24

CRIMINAL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	**1,815**	**598**	**32.9**	**473**	**26.0**	**125**	**6.9**
Dorchester	246	110	44.7	84	34.1	26	10.6
Somerset	139	46	33.1	36	25.9	10	7.2
Wicomico	829	186	22.4	141	17.0	45	5.4
Worcester	601	256	42.6	212	35.3	44	7.3
SECOND CIRCUIT	**1,004**	**239**	**23.8**	**141**	**14.0**	**98**	**9.8**
Caroline	166	23	13.8	9	5.4	14	8.4
Cecil	391	109	27.9	41	10.5	68	17.4
Kent	88	5	5.7	1	1.1	4	4.6
Queen Anne's	180	52	28.9	48	26.7	4	2.2
Talbot	179	50	27.9	42	23.5	8	4.5
THIRD CIRCUIT	**7,170**	**291**	**4.0**	**210**	**2.9**	**81**	**1.1**
Baltimore	5,924	188	3.2	144	2.4	44	.8
Harford	1,246	103	8.3	66	5.3	37	3.0
FOURTH CIRCUIT	**841**	**164**	**19.5**	**71**	**8.4**	**93**	**11.1**
Allegany	286	64	22.4	30	10.5	34	11.9
Garrett	107	22	20.6	8	7.5	14	13.1
Washington	448	78	17.4	33	7.4	45	10.0
FIFTH CIRCUIT	**5,063**	**813**	**16.0**	**680**	**13.4**	**133**	**2.6**
Anne Arundel	2,413	422	17.5	340	14.1	82	3.4
Carroll	1,117	96	8.6	91	8.1	5	.5
Howard	1,533	295	19.2	249	16.2	46	3.0
SIXTH CIRCUIT	**4,408**	**457**	**10.4**	**208**	**4.7**	**249**	**5.7**
Frederick	473	169	35.7	126	26.6	43	9.1
Montgomery	3,935	288	7.3	82	2.1	206	5.2
SEVENTH CIRCUIT	**7,854**	**263**	**3.3**	**70**	**.9**	**193**	**2.4**
Calvert	352	32	9.1	18	5.1	14	4.0
Charles	646	53	8.2	15	2.3	38	5.9
Prince George's	6,497	168	2.6	31	.5	137	2.1
St. Mary's	359	10	2.8	6	1.7	4	1.1
EIGHTH CIRCUIT	**14,859**	**791**	**5.3**	**518**	**3.5**	**273**	**1.8**
Baltimore City	14,859	791	5.3	518	3.5	273	1.8
STATE	**43,014**	**3,616**	**8.4**	**2,371**	**5.5**	**1,245**	**2.9**

NOTE: See footnote on Table CC-10.

TABLE CC-25

FIVE-YEAR COMPARATIVE TABLE CRIMINAL CASES TRIED

FISCAL 1982—FISCAL 1986

	1981-82	1982-83	1983-84	1984-85	1985-86
FIRST CIRCUIT	**544**	**510**	**599**	**606**	**598**
Dorchester	130	137	156	153	110
Somerset	85	56	57	60	46
Wicomico	260	261	163	173	186
Worcester	69	56	223	220	256
SECOND CIRCUIT	**755**	**515**	**378**	**275**	**239**
Caroline	60	86	79	28	23
Cecil	406	169	86	87	109
Kent	28	15	12	1	5
Queen Anne's	146	136	110	99	52
Talbot	115	109	91	60	50
THIRD CIRCUIT	**2,683**	**2,668**	**2,828**	**278**	**291**
Baltimore	2,543	2,577	2,698	175	188
Harford	140	91	130	103	103
FOURTH CIRCUIT	**427**	**372**	**172**	**185**	**164**
Allegany	268	200	77	75	64
Garrett	12	52	21	11	22
Washington	147	120	74	99	78
FIFTH CIRCUIT	**2,101**	**1,829**	**1,512**	**1,227**	**813**
Anne Arundel	818	520	514	468	422
Carroll	548	654	361	112	96
Howard	735	655	637	647	295
SIXTH CIRCUIT	**348**	**290**	**348**	**517**	**457**
Frederick	83	83	82	232	169
Montgomery	265	207	266	285	288
SEVENTH CIRCUIT	**455**	**281**	**299**	**253**	**263**
Calvert	36	10	25	30	32
Charles	38	48	36	41	53
Prince George's	369	203	221	161	168
St. Mary's	12	20	17	21	10
EIGHTH CIRCUIT	**894**	**1,395**	**1,159**	**1,126**	**791**
Baltimore City	894	1,395	1,159	1,126	791
STATE	**8,207**	**7,860**	**7,295**	**4,467**	**3,616**

NOTE: See footnote on Table CC-10.

TABLE CC-26

CRIMINAL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
	Number of Cases	All Cases	Excluding Cases Over 360 Days	61 Days	91 Days	121 Days	181 Days	361 Days
FIRST CIRCUIT								
Dorchester	214	140	113	6.1	43.0	59.8	83.2	93.9
Somerset	137	115	115	7.3	32.1	68.6	89.1	100.0
Wicomico	671	92	89	23.8	60.8	81.8	95.1	99.9
Worcester	525	123	110	13.5	38.7	65.1	87.8	98.3
SECOND CIRCUIT								
Caroline	144	170	163	2.8	9.7	26.4	58.3	97.2
Cecil	317	164	159	7.9	13.2	22.4	63.1	98.4
Kent	78	140	129	10.3	23.1	42.3	83.3	97.4
Queen Anne's	142	150	123	9.2	31.7	50.7	79.6	96.5
Talbot	157	128	126	23.6	33.8	45.9	76.4	99.4
THIRD CIRCUIT								
Baltimore	4,953	137	106	16.8	45.8	70.3	86.1	96.2
Harford	876	210	161	5.1	21.7	32.6	55.7	88.1
FOURTH CIRCUIT								
Allegany	249	163	144	9.6	21.6	39.7	69.4	95.1
Garrett	101	165	160	5.9	9.9	15.8	63.4	98.0
Washington	370	165	157	7.0	16.5	31.4	64.3	97.3
FIFTH CIRCUIT								
Anne Arundel	1,990	171	143	8.2	21.8	41.3	69.5	93.7
Carroll	870	192	150	6.6	17.6	33.1	68.2	94.8
Howard	1,086	150	131	7.8	26.0	51.1	76.2	95.9
SIXTH CIRCUIT								
Frederick	440	119	111	15.5	34.3	60.7	90.5	99.3
Montgomery	2,826	194	168	13.0	20.5	30.4	52.2	92.6
SEVENTH CIRCUIT								
Calvert	270	115	105	25.2	42.2	65.9	84.4	97.0
Charles	465	160	154	7.1	16.6	28.4	65.4	98.3
Prince George's	5,902	117	109	21.7	49.7	67.7	83.9	97.7
St. Mary's	263	130	114	20.9	42.2	58.9	81.4	95.8
EIGHTH CIRCUIT								
Baltimore City	14,812	93	76	51.8	64.0	78.2	88.7	96.7
STATE	37,858	126	106	29.4	47.0	64.0	81.2	96.2

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-12.

TABLE CC-27

FIVE-YEAR COMPARATIVE TABLE JUVENILE CAUSES FILINGS AND TERMINATIONS

FISCAL 1982—FISCAL 1986

	COMBINED ORIGINAL CASES FILED AND TERMINATED AND REOPENED CASES HEARD		COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED							
	1981-82		1982-83		1983-84		1984-85		1985-86	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**493**	**466**	**523**	**474**	**468**	**493**	**528**	**470**	**613**	**575**
Dorchester	94	63	95	78	149	153	149	141	136	135
Somerset	48	51	35	24	42	40	42	39	63	51
Wicomico	220	238	217	197	141	163	188	171	218	227
Worcester	131	114	176	175	136	137	149	119	196	162
SECOND CIRCUIT	**575**	**607**	**614**	**604**	**631**	**628**	**691**	**672**	**683**	**644**
Caroline	81	66	74	74	65	68	82	76	101	91
Cecil	271	272	274	259	377	364	354	362	319	302
Kent	32	29	40	37	30	25	48	48	45	42
Queen Anne's	107	139	125	124	73	74	103	103	106	103
Talbot	84	101	101	110	86	97	104	83	112	106
THIRD CIRCUIT	**3,294**	**3,326**	**3,008**	**2,722**	**3,225**	**3,191**	**3,840**	**3,674**	**4,463**	**4,558**
Baltimore	2,656	2,899	2,487	2,479	2,634	2,681	3,177	3,076	3,719	3,861
Harford	638	427	521	243	591	510	663	598	744	697
FOURTH CIRCUIT	**886**	**919**	**962**	**960**	**1,029**	**1,013**	**1,087**	**1,073**	**1,231**	**1,162**
Allegany	378	366	347	357	371	349	406	413	439	403
Garrett	103	107	135	132	104	113	95	95	90	87
Washington	405	446	480	471	554	551	586	565	702	672
FIFTH CIRCUIT	**3,182**	**2,975**	**3,722**	**3,495**	**4,134**	**3,858**	**4,159**	**4,286**	**4,718**	**4,369**
Anne Arundel	2,184	2,006	2,652	2,560	3,107	2,805	3,043	3,155	3,468	3,246
Carroll	554	550	641	594	571	579	625	589	558	492
Howard	444	419	429	341	456	474	491	542	692	631
SIXTH CIRCUIT	**3,525**	**3,663**	**3,882**	**3,844**	**4,391**	**3,979**	**4,169**	**3,954**	**4,074**	**4,148**
Frederick	256	229	239	251	260	258	348	326	385	372
Montgomery*	3,269	3,434	3,643	3,593	4,131	3,721	3,821	3,628	3,689	3,776
SEVENTH CIRCUIT	**6,677**	**6,883**	**6,442**	**6,376**	**6,436**	**6,133**	**6,384**	**6,550**	**7,362**	**7,198**
Calvert	332	389	277	277	272	273	327	308	320	338
Charles	707	673	696	743	747	657	722	764	818	799
Prince George's	5,470	5,588	5,274	5,164	5,270	5,074	5,163	5,333	6,095	5,894
St. Mary's	168	233	195	192	147	129	172	145	129	167
EIGHTH CIRCUIT	**11,118**	**9,669**	**11,008**	**7,905**	**10,443**	**7,942**	**10,350**	**9,379**	**11,379**	**10,245**
Baltimore City	11,118	9,669	11,008	7,905	10,443	7,942	10,350	9,379	11,379	10,245
STATE	**29,750**	**28,508**	**30,161**	**26,380**	**30,757**	**27,237**	**31,208**	**30,058**	**34,523**	**32,899**

*Includes juvenile causes processed at the District Court level.

TABLE CC-28

JUVENILE—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

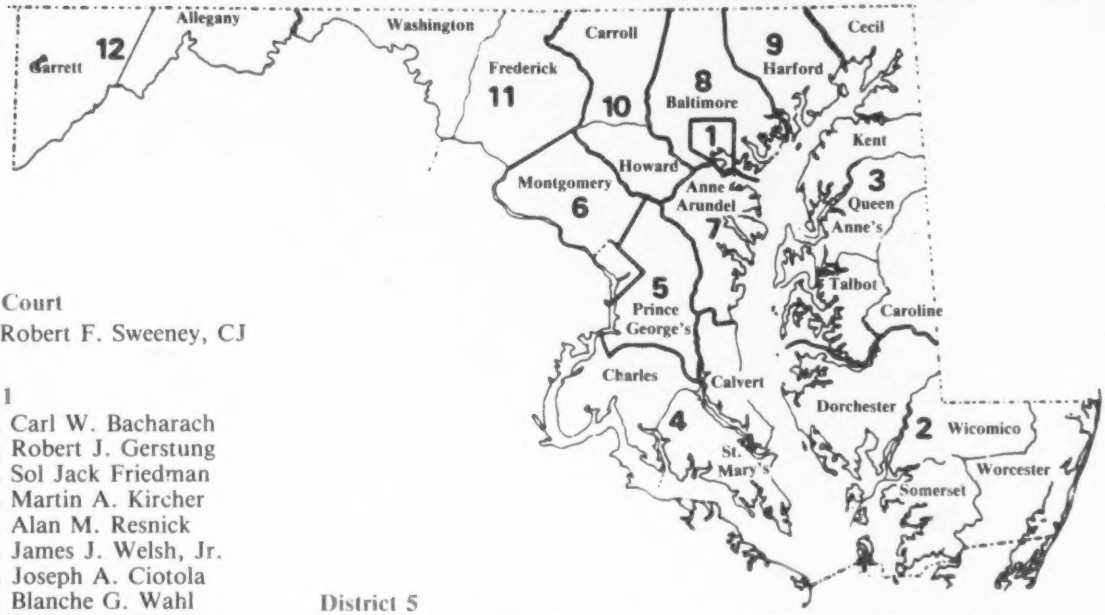
JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:					
		All Cases	Excluding Cases Over 271 Days	31 Days	61 Days	121 Days	181 Days	271 Days	361 Days
FIRST CIRCUIT									
Dorchester	77	54	32	65.0	87.1	92.3	94.9	94.9	96.2
Somerset	33	25	14	91.0	91.0	97.1	97.1	97.1	97.1
Wicomico	168	37	34	48.2	89.9	98.9	99.5	99.5	99.5
Worcester	143	65	59	23.1	74.9	88.9	94.5	98.7	99.4
SECOND CIRCUIT									
Caroline	49	50	50	38.8	77.6	87.8	100.0	100.0	100.0
Cecil	294	46	46	22.1	80.3	98.3	99.3	100.0	100.0
Kent	24	38	38	50.0	79.2	95.9	100.0	100.0	100.0
Queen Anne's	69	82	35	39.1	85.5	92.7	92.7	94.1	98.4
Talbot	58	69	69	32.7	63.8	79.3	91.4	100.0	100.0
THIRD CIRCUIT									
Baltimore	2,261	63	51	27.9	71.8	87.8	92.5	96.5	98.7
Harford	522	74	55	19.7	59.1	97.1	98.4	98.6	98.6
FOURTH CIRCUIT									
Allegany	396	39	38	61.8	77.2	93.1	97.4	99.7	100.0
Garrett	58	51	51	58.7	74.2	79.4	98.4	100.0	100.0
Washington	348	43	43	43.1	75.3	96.8	99.4	100.0	100.0
FIFTH CIRCUIT									
Anne Arundel	1,593	80	74	8.9	37.8	88.2	97.0	98.2	99.4
Carroll	270	74	69	12.6	36.7	92.7	98.6	99.0	99.7
Howard	413	74	64	13.3	47.7	94.7	98.1	99.1	99.8
SIXTH CIRCUIT									
Frederick	218	69	68	27.9	44.0	86.6	97.6	99.4	100.0
Montgomery	2,104	115	85	17.4	38.8	69.6	84.0	91.9	95.9
SEVENTH CIRCUIT									
Calvert	294	122	77	6.5	33.0	72.8	82.3	86.0	91.1
Charles	416	68	66	6.4	40.8	97.7	98.7	99.4	99.4
Prince George's	3,029	76	64	17.2	49.8	91.0	96.4	97.6	98.1
St. Mary's	139	134	73	8.6	36.0	79.9	84.9	88.5	89.9
EIGHTH CIRCUIT									
Baltimore City	8,491	90	68	31.3	56.9	80.6	88.0	95.5	97.3
STATE	21,467	83	66	25.1	54.7	84.4	91.4	96.1	97.7

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-12.

The District Court

The District Court — Judiciary Map and Members
as of September 2, 1986


Allegany
12
Garrett
Washington
Carroll
Cecil
9
Harford
Frederick
11
10
8
Baltimore
1
Kent
3
Queen Anne's
Howard
Montgomery
6
Anne Arundel
7
5
Prince George's
Talbot
Caroline
Charles
Calvert
4
St. Mary's
Dorchester
2
Wicomico
Worcester
Somerset

District Court
Hon. Robert F. Sweeney, CJ

District 1
Hon. Carl W. Bacharach
Hon. Robert J. Gerstung
Hon. Sol Jack Friedman
Hon. Martin A. Kircher
Hon. Alan M. Resnick
Hon. James J. Welsh, Jr.
*Hon. Joseph A. Ciotola
Hon. Blanche G. Wahl
Hon. Richard O. Motsay
Hon. Alan B. Lipson
Hon. George J. Helinski
Hon. Mary Ellen T. Rinehardt
Hon. Charlotte M. Cooksey
Hon. Paul A. Smith
Hon. H. Gary Bass
Hon. Keith E. Mathews
Hon. John C. Themelis
Hon. Askew W. Gatewood, Jr.
Hon. Alan J. Karlin
Hon. Roger W. Brown
Hon. Carol E. Smith
Hon. David W. Young
Hon. Theodore B. Oshrine

District 2
Hon. Robert D. Horsey
Hon. D. William Simpson
*Hon. Thomas C. Groton, III
Hon. John L. Norton, III

District 3
*Hon. Kenneth A. Wilcox
Hon. L. Edgar Brown
Hon. John T. Clark, III
Hon. H. Thomas Sisk, Jr.
Hon. William H. Adkins, III
Hon. James C. McKinney

District 4
Hon. Larry D. Lamson
*Hon. Robert C. Nalley
Hon. C. Clarke Raley

District 5
Hon. Sylvania W. Woods
Hon. Irving H. Fisher
*Hon. Graydon S. McKee, III
Hon. Francis A. Borelli
Hon. Bess B. Lavine
Hon. Theresa A. Nolan
Hon. William D. Missouri
Hon. C. Philip Nichols, Jr.
Hon. Gerard F. Devlin
Hon. Steven I. Platt

District 6
Hon. Douglas H. Moore, Jr.
Hon. John C. Tracey
Hon. Charles W. Woodward, Jr.
Hon. Stanley Klavan
*Hon. Thomas A. Lohm
Hon. Henry J. Monahan
Hon. Louis D. Harrington
Hon. Edwin Collier
Hon. Cornelius J. Vaughey
Vacancy

District 7
*Hon. Thomas J. Curley
Hon. George M. Taylor
Hon. Robert N. Lucke, Sr.
Hon. Donald M. Lowman
Hon. Martha G. Wyatt
Hon. Lawrence H. Rushworth

District 8
Hon. Edward D. Hardesty
Hon. James Kardash
Hon. Werner G. Schoeler
Hon. Gerard W. Wittstadt
Hon. John P. Rellas
Hon. William S. Baldwin
*Hon. John H. Garmer
Hon. A. Gordon Boone, Jr.
Hon. Patricia S. Pytash
Hon. Alfred L. Brennan, Sr.
Hon. Christian M. Kahl
Hon. Barbara Kerr Howe

District 9
*Hon. Edwin H.W. Harlan, Jr.
Hon. John S. Landbeck, Jr.
Hon. Lawrence S. Lanahan, Jr.

District 10
Hon. Donald M. Smith
*Hon. Francis M. Arnold
Hon. Diane G. Schulte
Hon. R. Russell Sadler
Hon. James N. Vaughan

District 11
Hon. Darrow Glaser
Hon. James F. Strine
*Hon. Herbert L. Rollins
Hon. Frederick J. Bower

District 12
Hon. Miller Bowen
*Hon. Paul J. Stakem
Hon. Jack R. Turney

---

*District Administrative Judge

The District Court

The District Court of Maryland was created as the result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969.

The District Court began operating on July 5, 1971, and replaced an existing miscellaneous system of trial magistrates, people's and municipal courts. It is a court of record, is entirely State funded and has statewide jurisdiction. District Court judges are appointed by the Governor to ten-year terms, subject to Senate confirmation. They do not stand for election. The first Chief Judge of the District Court was designated by the Governor, but all subsequent chief judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into twelve geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision.

As of July 1, 1985, there were 90 judges on the Court, including the Chief Judge. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. A chief clerk of the Court is appointed by the Chief Judge. Administrative clerks for each district are also appointed as are commissioners who perform such duties as issuing arrest warrants and setting bail or collateral.

The District Court has jurisdiction in both the criminal, including motor vehicle, and civil areas. It has little equity jurisdiction and has jurisdiction over juvenile causes only in Montgomery County. The exclusive jurisdiction of the District Court generally includes all landlord/tenant cases; replevin actions; motor vehicle violations; criminal cases if the penalty is less than three years imprisonment or does not exceed a fine of $2,500, or both; and civil cases involving amounts not exceeding $2,500. It has concurrent jurisdiction with the circuit courts in civil cases over $2,500 to, but not exceeding, $10,000; and concurrent jurisdiction in misdemeanors and certain enumerated felonies. Since there are no juries provided in the District Court, a person entitled to and electing a jury trial must proceed to the circuit court.

Motor Vehicle

There was a total of 873,607 motor vehicle cases received in the District Court during Fiscal Year 1986 compared to 851,504 in Fiscal Year 1985, an increase of 2.6 percent (Table DC-6). The four largest counties and Baltimore City contributed over 64 percent of the total cases received with 561,779. Montgomery County had the greatest amount with 154,248 followed by Baltimore County with 148,484 and Prince George's County with 125,970. Baltimore City and Anne Arundel County reported 71,968 and 61,109, respectively. The District Court processed 799,863 motor vehicle cases during Fiscal 1986. Of that figure, 234,028 were tried, 518,115 were paid, and the remaining 47,720 cases were "other" dispositions which included jury trial prayers, nolle prosequi, and stet cases (Table DC-2).

Criminal

The District Court of Maryland received 139,818 criminal filings during Fiscal Year 1986. That represents an increase of over four percent over the 133,894 criminal filings reported in Fiscal 1985. There were 132,222 criminal dispositions reported for Fiscal 1986 compared to 129,654 for Fiscal 1985, an increase of 2.0 percent (Table DC-7). Of the 132,222 dispositions in Fiscal 1986, 49,748 were tried cases while 82,474 were untried. Nearly 37 percent of the criminal caseload was processed in Baltimore City. The four largest counties accounted for 41.1 percent (54,341 cases) of the total criminal workload. Prince George's and Baltimore Counties had the highest activity with 17,292 and 17,291 cases processed, respectively.

Civil

Civil filings increased by three percent from Fiscal 1985 to Fiscal 1986. There were 563,283 civil filings reported for Fiscal 1985 compared to 580,296 in Fiscal 1986 (Table DC-8). Landlord and tenant filings accounted for 72.5 percent (420,783) of all civil filings reported in Fiscal 1986. Contract and tort filings accounted for 24.5 percent of the civil filings while "other" complaints, which included attachments before judgment, confessed judgments, and replevin actions, accounted for the remaining civil filings. Of the 580,296 civil filings reported, only 7.9 percent (45,716) were contested (Table DC-2).

There were also 14,612 special proceedings reported for Fiscal Year 1986 among which were 2,056 emergency evaluations, 4,283 domestic abuse cases, and 193 child abuse cases (Table DC-10).

Trends

During Fiscal 1986, the District Court reported the highest number of cases in the Court's fifteen-year history, when 1,512,381 cases were either filed or processed with the Court. This was a 4.5 percent increase over the caseload reported last year and it marked the second consecutive year that all three major categories increased—civil, criminal, and motor vehicle. The number of tried or contested actions also increased from 312,494 in Fiscal 1985 to 329,492 in the current year.

With the exception of Fiscal 1984, motor vehicle dispositions have risen steadily over the past five years to the present level of 799,863. Contested motor vehicle cases also have risen. Approximately 29.3 percent of the motor vehicle workload is contested or tried, meaning that over the past year the District Court heard 234,028 motor vehicle cases. This represents 20,000 more motor vehicle trials than in Fiscal 1985 and 30,000 more cases tried than in Fiscal 1984. In terms of overall volume, Montgomery County reports the highest motor vehicle caseload in the State (154,248) while Baltimore County experiences the highest volume of motor vehicle cases tried—60,541 (Table DC-2). A portion of this workload increase is directly related to the higher number of cases involving the drinking driver. Table DC-9 illustrates the number of Driving While Intoxicated (DWI) cases received by the District Court of Maryland over a five-year period. Since Fiscal 1982, the number of DWI cases has increased nearly 21 percent, from 27,539 in FY 82 to 33,302 in FY 86. This proportionately has contributed to the greater volume of tried motor vehicle cases as well as demands for jury trials.

The criminal workload in the District Court is the only area where significant increases have not been noted in recent years. Although the number of criminal dispositions increased in Fiscal 1986 by 2,600 cases, the total number of criminal cases tried has declined since Fiscal 1982. During that year, 61,957 criminal cases were tried in the District Court, compared to 49,748 tried in Fiscal 1986. Two factors could be attributable to this reduction—a slight decline in criminal workload along with more requests for jury trials. As indicated in Table DC-7, the number of defendants processed in the District Court has dropped over the past five years by 3,000 cases (although in recent years the number of defendants processed has increased slightly). Baltimore City continues to contribute the greatest number of criminal cases each year, 36.7 percent (48,586), followed by Prince George's and Baltimore Counties (13.0 percent each).

The number of civil filings has shown a steady climb over the last five years, increasing from 509,254 filings in Fiscal 1982 to 580,296 filings reported in Fiscal 1986. Civil contested cases, on the other hand, have indicated a varied growth trend. During Fiscal 1986, these increased only by 687 from the previous year. A total of 45,716 civil contested hearings was reported in Fiscal 1986 compared to 49,620 reported five years ago. As previously mentioned, landlord and tenant cases constitute over 72 percent of civil filings reported in the State. In Fiscal 1986, 7,400 additional landlord and tenant cases were filed. Baltimore City and Prince George's County have the greatest number of civil filings (36.1 percent and 24.0 percent, respectively), primarily because of the large number of landlord and tenant cases filed in those jurisdictions yearly. (See Table DC-2 for further details).

In summary, continuous growth patterns appear to be on the horizon for the District Court throughout the decade of the eighties. In some areas of the State, the Court is inundated with heavy workloads, particularly where DWI and other related traffic offenses are handled with increasing regularity. It is anticipated that over the next several years, the Court can continue to expect between 60,000 to 75,000 additional cases filed each year.

TABLE DC-1

DISTRICT COURT — CASELOAD BY FISCAL YEAR

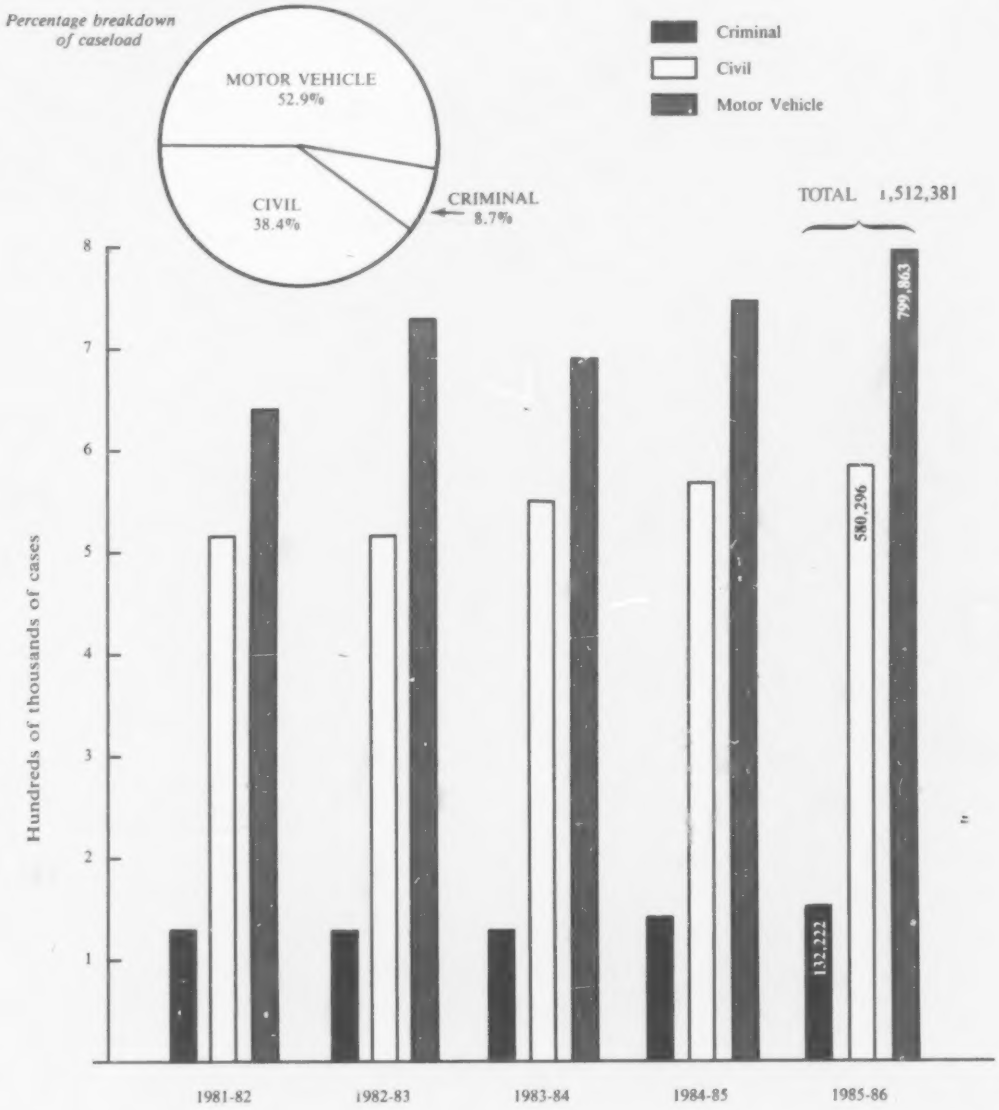


TABLE DC-2

MOTOR VEHICLE AND CRIMINAL CASES PROCESSED AND CIVIL CASES FILED IN THE DISTRICT COURT OF MARYLAND

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	MOTOR VEHICLE CASES PROCESSED BY DISTRICT COURT[a]					CRIMINAL CASES PROCESSED BY DISTRICT COURT	CIVIL CASES FILED IN THE DISTRICT COURT							TOTAL FILED OR PROCESSED
							Landlord and Tenant		Contract and Tort		Other Com-plaints Filed[b]	Total		
	Cases Received	Cases Tried	Cases Paid	Other Dispo-sitions	Total Cases Processed	No. of Cases	Filed	Con-tested	Filed	Con-tested		Filed	Con-tested	
DISTRICT 1	**71,968**	**29,618**	**28,542**	**4,279**	**62,439**	**48,586**	**177,062**	**18,607**	**30,763**	**3,878**	**1,763**	**209,588**	**22,485**	**320,613**
Baltimore City	71,968	29,618	28,542	4,279	62,439	48,586	177,062	18,607	30,763	3,878	1,763	209,588	22,485	320,613
DISTRICT 2	**49,341**	**6,459**	**35,774**	**2,658**	**44,891**	**6,474**	**4,091**	**512**	**5,429**	**752**	**864**	**10,384**	**1,264**	**61,749**
Dorchester	8,142	1,697	5,691	275	7,663	1,097	524	24	991	168	90	1,605	192	10,365
Somerset	5,093	605	3,808	189	4,602	582	96	23	558	80	139	793	103	5,977
Wicomico	19,697	1,705	15,640	856	18,201	1,995	3,096	328	2,232	226	377	5,705	554	25,901
Worcester	16,409	2,452	10,635	1,338	14,425	2,800	375	137	1,648	278	258	2,281	415	19,506
DISTRICT 3	**57,896**	**9,000**	**42,547**	**1,741**	**53,288**	**4,364**	**1,303**	**286**	**5,595**	**403**	**909**	**7,807**	**689**	**65,459**
Caroline	4,985	848	3,573	247	4,668	808	251	63	838	46	136	1,225	109	6,701
Cecil	33,655	4,590	24,966	648	30,204	1,803	582	142	2,028	144	358	2,968	286	34,975
Kent	2,580	309	2,021	95	2,425	501	82	18	1,073	28	217	1,372	46	4,298
Queen Anne's	8,325	1,434	6,025	513	7,972	544	97	3	799	71	145	1,041	74	9,557
Talbot	8,351	1,819	5,962	238	8,019	708	291	60	857	114	53	1,201	174	9,928
DISTRICT 4	**31,459**	**6,523**	**19,012**	**3,138**	**28,673**	**4,202**	**1,931**	**333**	**4,190**	**337**	**749**	**6,870**	**670**	**39,745**
Calvert	8,125	2,428	4,327	421	7,176	1,017	80	32	1,096	100	254	1,430	132	9,623
Charles	13,772	2,458	8,886	1,325	12,669	2,148	1,160	116	1,980	136	279	3,419	252	18,236
St. Mary's	9,562	1,637	5,799	1,392	8,828	1,037	691	185	1,114	101	216	2,021	286	11,886
DISTRICT 5	**125,970**	**28,517**	**76,176**	**8,810**	**113,503**	**17,292**	**107,497**	**7,353**	**28,305**	**1,320**	**3,781**	**139,583**	**8,673**	**270,378**
Prince George's	125,970	28,517	76,176	8,810	113,503	17,292	107,497	7,353	28,305	1,320	3,781	139,583	8,673	270,378
DISTRICT 6	**154,248**	**33,278**	**106,951**	**8,126**	**148,355**	**9,762**	**31,508**	**1,070**	**20,380**	**1,632**	**1,687**	**53,575**	**2,702**	**211,692**
Montgomery	154,248	33,278	106,951	8,126	148,355	9,762	31,508	1,070	20,380	1,632	1,687	53,575	2,702	211,692
DISTRICT 7	**61,109**	**24,407**	**29,861**	**2,925**	**57,193**	**9,996**	**16,628**	**971**	**11,274**	**795**	**2,121**	**30,023**	**1,766**	**97,212**
Anne Arundel	61,109	24,407	29,861	2,925	57,193	9,996	16,628	971	11,274	795	2,121	30,023	1,766	97,212
DISTRICT 8	**148,484**	**60,541**	**68,490**	**6,391**	**135,422**	**17,291**	**65,011**	**1,834**	**18,213**	**2,359**	**3,162**	**86,386**	**4,193**	**239,099**
Baltimore	148,484	60,541	68,490	6,391	135,422	17,291	65,011	1,834	18,213	2,359	3,162	86,386	4,193	239,099
DISTRICT 9	**31,338**	**9,678**	**17,812**	**1,523**	**29,013**	**2,742**	**4,543**	**482**	**3,871**	**221**	**156**	**8,570**	**703**	**40,325**
Harford	31,338	9,678	17,812	1,523	29,013	2,742	4,543	482	3,871	221	156	8,570	703	40,325
DISTRICT 10	**67,826**	**15,838**	**39,536**	**3,732**	**59,130**	**4,775**	**6,335**	**261**	**6,609**	**739**	**888**	**13,832**	**1,000**	**77,737**
Carroll	16,125	3,875	9,105	1,324	14,304	1,732	899	127	1,919	213	369	3,187	340	19,223
Howard	51,701	11,987	30,431	2,408	44,826	3,043	5,436	134	4,690	526	519	10,645	660	58,514
DISTRICT 11	**57,580**	**7,166**	**41,566**	**3,469**	**52,201**	**4,515**	**4,572**	**604**	**5,768**	**498**	**819**	**11,159**	**1,102**	**67,875**
Frederick	35,606	4,613	24,962	2,201	31,776	2,257	2,363	181	2,449	243	282	5,094	424	39,127
Washington	21,974	2,553	16,604	1,268	20,425	2,258	2,209	423	3,319	255	537	6,065	678	28,748
DISTRICT 12	**16,388**	**2,979**	**11,848**	**928**	**15,755**	**2,223**	**302**	**124**	**2,031**	**345**	**186**	**2,519**	**469**	**20,497**
Allegany	10,229	1,760	7,106	708	9,574	1,669	253	102	1,433	283	110	1,796	385	13,039
Garrett	6,159	1,219	4,742	220	6,181	554	49	22	598	62	76	723	84	7,458
STATE	**873,607**	**234,028**	**518,115**	**47,720**	**799,863**	**132,222**	**420,783**	**32,437**	**142,428**	**13,279**	**17,085**	**580,296**	**45,716**	**1,512,381**

[a] All statistical data on motor vehicle cases are a by-product of an automated traffic system. A redesign of the traffic system was implemented on June 30, 1986, and the new statistical programs were retroactively applied to fiscal 1986 cases. An increase in motor vehicle data for fiscal 1986 is partially attributable to this new programming effort along with other natural growth trends.

[b] As a result of civil rule changes effective July 1, 1984, "other filings" include attachments before judgment, confessed judgments, and replevin actions.

TABLE DC-3

FIVE-YEAR COMPARATIVE TABLE MOTOR VEHICLE AND CRIMINAL CASES PROCESSED AND CIVIL CASES FILED IN THE DISTRICT COURT

FISCAL 1982—FISCAL 1986

	1981-82	1982-83	1983-84	1984-85[a]	1985-86[b]
DISTRICT 1					
Baltimore City	293,947	317,645	317,274	330,641	320,613
DISTRICT 2					
Dorchester	6,816	6,653	8,324	9,257	10,365
Somerset	6,623	6,381	6,114	6,026	5,977
Wicomico	21,562	24,590	25,122	25,060	25,901
Worcester	14,959	16,528	16,716	16,790	19,506
DISTRICT 3					
Caroline	4,663	4,353	5,298	9,053	6,701
Cecil	25,115	30,882	28,145	33,197	34,975
Kent	4,450	4,089	4,046	4,938	4,298
Queen Anne's	8,022	9,097	8,145	7,667	9,557
Talbot	7,796	8,976	8,171	9,988	9,928
DISTRICT 4					
Calvert	8,340	10,452	10,339	9,438	9,623
Charles	14,475	13,986	17,782	16,406	18,236
St. Mary's	10,020	9,974	8,675	11,251	11,886
DISTRICT 5					
Prince George's	248,058	279,523	260,429	246,377	270,378
DISTRICT 6					
Montgomery	169,797	178,752	174,031	195,906	211,692
DISTRICT 7					
Anne Arundel	79,610	77,230	87,925	97,685	97,212
DISTRICT 8					
Baltimore	190,002	194,513	203,471	226,227	239,099
DISTRICT 9					
Harford	34,199	37,735	38,235	38,954	40,325
DISTRICT 10					
Carroll	12,121	15,215	14,542	18,387	19,223
Howard	44,572	48,645	46,960	46,120	58,514
DISTRICT 11					
Frederick	30,248	32,432	33,508	36,787	39,127
Washington	26,776	27,473	26,695	29,181	28,748
DISTRICT 12					
Allegany	14,022	13,998	13,440	14,027	13,039
Garrett	4,935	5,568	6,219	8,086	7,458
STATE	1,281,128	1,374,690	1,369,606	1,447,449	1,512,381

[a] See footnote "b" on Table DC-2.

[b] See footnote "a" on Table DC-2.

TABLE DC-4

POPULATION AND CASELOAD PER DISTRICT COURT JUDGE[a] AS OF JUNE 30, 1986

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

			CASES FILED OR PROCESSED PER JUDGE			
	Number of Judges	Population Per Judge[b]	Civil[c]	Motor Vehicle	Criminal	Total
DISTRICT 1						
Baltimore City	23	33,009	9,113	2,715	2,112	13,940
DISTRICT 2						
Dorchester	1	30,200	1,605	7,663	1,097	10,365
Somerset	1	18,300	793	4,602	582	5,977
Wicomico	1	69,700	5,705	18,201	1,995	25,901
Worcester	1	35,200	2,281	14,425	2,800	19,506
DISTRICT 3						
Caroline	1	24,200	1,225	4,668	808	6,701
Cecil	2	34,050	1,484	15,102	902	17,488
Kent	1	16,900	1,372	2,425	501	4,298
Queen Anne's	1	29,200	1,041	7,972	544	9,557
Talbot	1	27,200	1,201	8,019	708	9,928
DISTRICT 4						
Calvert	1	41,800	1,430	7,176	1,017	9,623
Charles	1	87,200	3,419	12,669	2,148	18,236
St. Mary's	1	68,200	2,021	8,828	1,037	11,886
DISTRICT 5						
Prince George's	10	67,530	13,958	11,350	1,729	27,037
DISTRICT 6						
Montgomery	8[d]	78,900	6,697	18,544	1,220	26,461
DISTRICT 7						
Anne Arundel	6	67,367	5,004	9,532	1,666	16,202
DISTRICT 8						
Baltimore	12	57,342	7,199	11,285	1,441	19,925
DISTRICT 9						
Harford	3	50,333	2,857	9,671	914	13,442
DISTRICT 10						
Carroll	2	54,350	1,594	7,152	866	9,612
Howard	3	46,933	3,548	14,942	1,014	19,504
DISTRICT 11						
Frederick	2	65,450	2,547	15,888	1,129	19,564
Washington	2	56,600	3,033	10,213	1,129	14,375
DISTRICT 12						
Allegany	2	38,650	898	4,787	835	6,520
Garrett	1	27,300	723	6,181	554	7,458
STATE	87	50,844	6,670	9,194	1,520	17,384

[a] Chief Judge of District Court not included in statistics. Number of judges as of June 30, 1986.

[b] Population estimate for July 1, 1986, issued by the Maryland Center for Health Statistics.

[c] See footnote "b" on Table DC-2.

[d] Two Juvenile Court judges and juvenile causes omitted as included in juvenile statistics.

TABLE DC-5

CASES FILED OR PROCESSED IN THE DISTRICT COURT PER THOUSAND POPULATION

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Population[a]	Civil Filed[b]	Motor Vehicle Processed	Criminal Processed	Total
DISTRICT 1					
Baltimore City	759,200	276	82	64	422
DISTRICT 2					
Dorchester	30,200	53	254	36	343
Somerset	18,300	43	251	32	326
Wicomico	69,700	82	261	29	372
Worcester	35,200	65	410	80	555
DISTRICT 3					
Caroline	24,200	51	193	33	277
Cecil	68,100	44	444	26	514
Kent	16,900	81	143	30	254
Queen Anne's	29,200	36	273	19	328
Talbot	27,200	44	295	26	365
DISTRICT 4					
Calvert	41,800	34	172	24	230
Charles	87,200	39	145	25	209
St. Mary's	68,200	30	129	15	174
DISTRICT 5					
Prince George's	675,300	207	168	26	401
DISTRICT 6					
Montgomery	631,200	85	235	15	335
DISTRICT 7					
Anne Arundel	404,200	74	141	25	240
DISTRICT 8					
Baltimore	688,100	126	197	25	348
DISTRICT 9					
Harford	151,000	57	192	18	267
DISTRICT 10					
Carroll	108,700	29	132	16	177
Howard	140,800	76	318	22	416
DISTRICT 11					
Frederick	130,900	39	243	17	299
Washington	113,200	54	180	20	254
DISTRICT 12					
Allegany	77,300	23	124	22	169
Garrett	27,300	26	226	20	272
STATE	4,423,400	131	181	30	342

[a] Population estimate for July 1, 1986, issued by the Maryland Center for Health Statistics.

[b] See footnote "b" on Table DC-2.

TABLE DC-6

FIVE-YEAR COMPARATIVE TABLE MOTOR VEHICLE CASES PROCESSED BY THE DISTRICT COURT

FISCAL 1982—FISCAL 1986

	1981-82	1982-83	1983-84	1984-85	1985-86[a]
DISTRICT 1					
Baltimore City	60,931	71,395	61,421	65,938	62,439
DISTRICT 2					
Dorchester	3,790	3,804	5,748	6,367	7,663
Somerset	5,298	5,198	5,011	4,804	4,602
Wicomico	15,796	18,000	18,990	17,490	18,201
Worcester	11,217	13,205	13,028	12,388	14,425
DISTRICT 3					
Caroline	2,894	2,728	3,779	7,449	4,668
Cecil	21,316	27,099	23,998	28,859	30,204
Kent	3,062	2,415	2,669	3,294	2,425
Queen Anne's	6,509	7,193	6,438	6,019	7,972
Talbot	6,065	7,070	6,632	8,236	8,019
DISTRICT 4					
Calvert	6,103	7,746	7,929	7,110	7,176
Charles	9,395	9,841	13,251	11,668	12,669
St. Mary's	6,780	7,763	6,499	8,673	8,828
DISTRICT 5					
Prince George's	105,947	134,660	114,268	104,587	113,503
DISTRICT 6					
Montgomery	110,053	125,098	115,080	133,066	148,355
DISTRICT 7					
Anne Arundel	43,939	40,314	49,594	55,735	57,193
DISTRICT 8					
Baltimore	98,615	102,715	106,617	130,113	135,422
DISTRICT 9					
Harford	22,972	27,304	26,631	27,921	29,013
DISTRICT 10					
Carroll	7,538	8,864	9,958	13,789	14,304
Howard	33,518	40,034	35,348	32,949	44,826
DISTRICT 11					
Frederick	22,875	25,942	26,550	29,229	31,776
Washington	18,557	20,434	19,364	21,374	20,425
DISTRICT 12					
Allegany	9,874	10,666	9,960	10,736	9,574
Garrett	3,383	4,217	4,807	6,718	6,181
STATE	636,427	725,861[b]	693,570	754,512	799,863

[a] See footnote "a" on Table DC-2.

[b] 2,156 paid cases are included in the total cases disposed: 1,429 paid cases from Dorchester and Wicomico Counties; 727 paid cases from Frederick and Washington Counties.

TABLE DC-7

FIVE-YEAR COMPARATIVE TABLE CRIMINAL CASES BY THE NUMBER OF DEFENDANTS CHARGED PROCESSED IN THE DISTRICT COURT

FISCAL 1982—FISCAL 1986

	1981-82	1982-83	1983-84	1984-85	1985-86
DISTRICT 1					
Baltimore City	47,095	50,847	48,237	48,760	48,586
DISTRICT 2					
Dorchester	913	1,027	930	1,115	1,097
Somerset	567	486	497	540	582
Wicomico	1,946	1,841	1,680	1,618	1,995
Worcester	1,828	1,631	2,036	2,208	2,800
DISTRICT 3					
Caroline	848	524	498	579	808
Cecil	1,948	1,737	1,694	1,790	1,803
Kent	463	471	355	490	501
Queen Anne's	400	556	508	544	544
Talbot	656	748	535	687	708
DISTRICT 4					
Calvert	858	825	783	914	1,017
Charles	2,248	1,594	1,630	1,958	2,148
St. Mary's	1,420	953	839	741	1,037
DISTRICT 5					
Prince George's	20,174	20,912	19,866	20,020	17,292
DISTRICT 6					
Montgomery	14,685	8,020	7,776	9,519	9,762
DISTRICT 7					
Anne Arundel	8,490	8,566	7,989	8,461	9,996
DISTRICT 8					
Baltimore	15,336	14,983	17,182	15,429	17,291
DISTRICT 9					
Harford	2,669	2,487	2,842	2,560	2,742
DISTRICT 10					
Carroll	1,419	1,335	1,705	1,653	1,732
Howard	3,095	2,728	2,842	3,029	3,043
DISTRICT 11					
Frederick	2,518	1,811	2,302	2,452	2,257
Washington	2,539	1,847	1,915	2,247	2,258
DISTRICT 12					
Allegany	2,578	1,699	1,723	1,737	1,669
Garrett	754	557	604	603	554
STATE	135,447	128,185	126,968	129,654	132,222

TABLE DC-8

FIVE-YEAR COMPARATIVE TABLE CIVIL CASES FILED IN THE DISTRICT COURT

FISCAL 1982—FISCAL 1986

	1981-82	1982-83	1983-84	1984-85[a]	1985-86
DISTRICT 1					
Baltimore City	185,921	195,403	207,616	215,943	209,588
DISTRICT 2					
Dorchester	2,113	1,822	1,646	1,775	1,605
Somerset	758	697	606	682	793
Wicomico	3,820	4,749	4,452	5,952	5,705
Worcester	1,914	1,692	1,652	2,194	2,281
DISTRICT 3					
Caroline	921	1,101	1,021	1,025	1,225
Cecil	1,851	2,046	2,453	2,548	2,968
Kent	925	1,203	1,022	1,154	1,372
Queen Anne's	1,113	1,348	1,199	1,104	1,041
Talbot	1,075	1,158	1,004	1,065	1,201
DISTRICT 4					
Calvert	1,379	1,881	1,627	1,414	1,430
Charles	2,832	2,551	2,901	2,780	3,419
St. Mary's	1,820	1,258	1,337	1,837	2,021
DISTRICT 5					
Prince George's	121,937	123,951	126,295	121,770	139,583
DISTRICT 6					
Montgomery	45,059	45,634	51,175	53,321	53,575
DISTRICT 7					
Anne Arundel	27,181	28,350	30,342	33,489	30,023
DISTRICT 8					
Baltimore	76,051	76,815	79,672	80,685	86,386
DISTRICT 9					
Harford	8,558	7,944	8,762	8,473	8,570
DISTRICT 10					
Carroll	3,164	3,623	2,879	2,945	3,187
Howard	7,959	7,276	8,770	10,142	10,645
DISTRICT 11					
Frederick	4,855	4,679	4,656	5,106	5,094
Washington	5,680	5,192	5,416	5,560	6,065
DISTRICT 12					
Allegany	1,570	1,633	1,757	1,554	1,796
Garrett	798	794	808	765	723
STATE	509,254	522,800	549,068	563,283	580,296

[a] See footnote "b" on Table DC-2.

TABLE DC-9

FIVE-YEAR COMPARATIVE TABLE DRIVING WHILE INTOXICATED CASES RECEIVED BY THE DISTRICT COURT OF MARYLAND

FISCAL 1982—FISCAL 1986

	1981-82	1982-83	1983-84	1984-85	1985-86
DISTRICT 1					
Baltimore City	2,940	3,325	3,007	3,240	2,875
DISTRICT 2					
Dorchester	245	311	288	290	457
Somerset	241	222	255	228	199
Wicomico	925	892	766	577	467
Worcester	528	698	770	772	780
DISTRICT 3					
Caroline	122	123	154	164	172
Cecil	674	1,169	839	813	804
Kent	146	93	96	139	158
Queen Anne's	304	346	248	282	284
Talbot	390	482	454	439	363
DISTRICT 4					
Calvert	475	596	623	560	569
Charles	701	814	528	552	683
St. Mary's	479	588	527	573	509
DISTRICT 5					
Prince George's	3,650	4,459	3,960	4,081	5,128
DISTRICT 6					
Montgomery	3,071	3,656	3,414	5,364	5,301
DISTRICT 7					
Anne Arundel	2,279	2,925	2,826	3,233	3,514
DISTRICT 8					
Baltimore	3,879	4,704	4,022	4,212	4,368
DISTRICT 9					
Harford	961	1,242	1,012	1,070	1,350
DISTRICT 10					
Carroll	608	893	775	912	549
Howard	1,909	1,774	2,156	1,472	2,135
DISTRICT 11					
Frederick	1,075	1,007	1,040	1,054	1,091
Washington	931	921	638	798	768
DISTRICT 12					
Allegany	703	801	681	485	523
Garrett	303	289	215	242	255
STATE	27,539	32,330	29,294	31,552	33,302

TABLE DC-10

SPECIAL PROCEEDINGS
EMERGENCY EVALUATION AND DOMESTIC ABUSE HEARINGS HELD IN THE DISTRICT COURT OF MARYLAND

JULY 1, 1985—JUNE 30, 1986
FISCAL 1986

	Emergency Hearings	Domestic Abuse
DISTRICT 1		
Baltimore City	299	1,890
DISTRICT 2		
Dorchester	8	12
Somerset	10	11
Wicomico	27	92
Worcester	33	29
DISTRICT 3		
Caroline	3	16
Cecil	25	83
Kent	10	10
Queen Anne's	6	12
Talbot	7	3
DISTRICT 4		
Calvert	19	13
Charles	16	1
St. Mary's	30	46
DISTRICT 5		
Prince George's	569	385
DISTRICT 6		
Montgomery	229	324
DISTRICT 7		
Anne Arundel	209	313
DISTRICT 8		
Baltimore	327	570
DISTRICT 9		
Harford	36	26
DISTRICT 10		
Carroll	24	45
Howard	56	100
DISTRICT 11		
Frederick	50	68
Washington	18	92
DISTRICT 12		
Allegany	29	102
Garrett	16	40
STATE	2,056	4,283

Judicial Administration

Judicial Administration

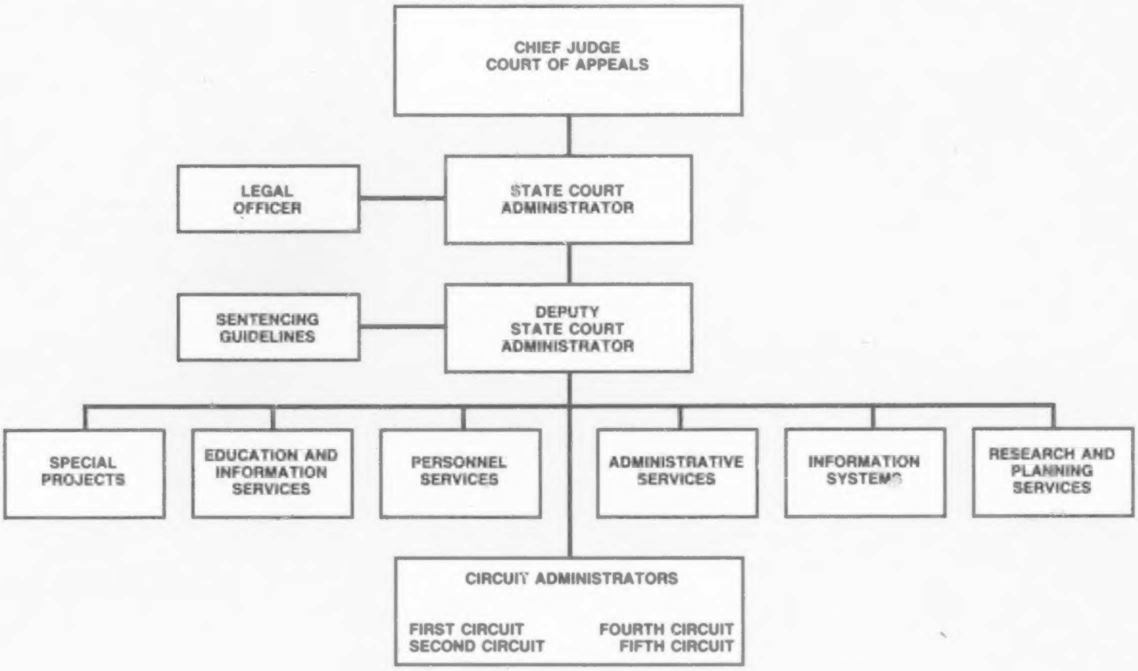
Administrative Office of the Courts

Over forty years ago, Maryland recognized the need for administrative direction to the courts when they ratified Article IV, § 18(b), of the Constitution, providing that the Chief Judge of the Court of Appeals is the "administrative head of the judicial system of the State."

Three decades ago, the Maryland General Assembly took initial steps to provide the professional administrative staff necessary to assist the Chief Judge in carrying out the administrative responsibilities under the Constitution. The Administrative Office was established in 1955 under the direction of the State Court Administrator, who is appointed by and serves at the pleasure of the Chief Judge of the Court of Appeals, with duties and responsibilities set forth in § 13-101 of the Courts Article.

The State Court Administrator and the Administrative Office of the Courts provide the Chief Judge with advice, information, facilities, and staff to assist in the performance of the Chief Judge's administrative responsibilities. The administrative responsibilities include personnel administration, preparation and administration of the judiciary budget, liaison with legislative and executive branches, planning and research, education of judges and court support personnel, and staff support to the Maryland Judicial Conference and the Conference of Circuit Judges. Personnel are also responsible for the complex operation of data processing systems, collection and analysis of statistics and other management information. The office also assists the Chief Judge in the assignment of active and former judges to cope with case backloads or address shortages of judicial personnel in critical locations.

What follows are some of the details pertaining to certain activities of the Administrative Office of the Courts during the last twelve months.


CHIEF JUDGE
COURT OF APPEALS
LEGAL OFFICER
STATE COURT ADMINISTRATOR
SENTENCING GUIDELINES
DEPUTY STATE COURT ADMINISTRATOR
SPECIAL PROJECTS
EDUCATION AND INFORMATION SERVICES
PERSONNEL SERVICES
ADMINISTRATIVE SERVICES
INFORMATION SYSTEMS
RESEARCH AND PLANNING SERVICES
CIRCUIT ADMINISTRATORS
FIRST CIRCUIT
SECOND CIRCUIT
FOURTH CIRCUIT
FIFTH CIRCUIT

Administrative Office of the Courts

Judicial Education and Information Services

The Judicial Institute of Maryland continued to offer judges an extensive variety of topics for their continuing legal education. Programs presented in the fall and spring semesters spanned the legal spectrum of substantive and procedural issues of the civil and criminal law. Complementing these fundamental legal areas were programs in judicial writing and the humanities.

The transition from the bar to the bench requires re-orientation of the way an attorney has been conditioned to think and act at trial. The New Trial Judge Seminar concentrated on those issues critical to the judicial role. Over the course of three very intensive days, newly appointed judges from the circuit courts and the District Court of Maryland studied and discussed criminal and civil procedure, evidence, sentencing, constitutional law and trial procedure.

The Institute continued its interstate seminar in conjunction with the judiciaries of New Jersey and Delaware. These annual seminars are designed to present topical areas of the law that are of mutual interest and concern to our state benches. As a supplement to its in-state curriculum, the Institute is able to stretch its resources by pooling them with other states to provide high quality programming that compares favorably with national programs.

Similarly, on December 19, 1985, the Institute cosponsored the first national judicial education program transmitted by satellite as the Institute became part of the American Law Institute's satellite network. This premier broadcast was received by 43 states throughout the country.

The Institute also assisted the Fifth Judicial Circuit in developing and presenting an educational program as part of its bi-annual bench meetings. This variation in the delivery of continuing legal education conserves bench time and reduces expenses, as well as provides highly relevant programs that address the circuit's educational and informational needs. The Institute hopes to make this service available to other circuits over the course of the next academic year.

As a supplement to judicial education, the Institute developed and presented a seminar for the juvenile masters under the auspices of a grant from the Governor's Juvenile Justice Advisory Council. The Institute has recognized the need for providing continuing education to these judicial officers and plans to incorporate such programming into its annual curriculum. Additionally, the Institute offered a variety of training programs to court support and administrative staffs. A major project in this area was the training of all District Court commissioners in the court's automated traffic and criminal systems.

In the area of public information, the Public Awareness Committee sponsored six programs on Maryland Public Television entitled "View from the Bench." This series was the first of its kind in the United States to focus so closely on the judiciary's role in society. A panel of Maryland judges, representing all four court levels, appeared on each program and discussed the current issues of publicity, public perception of judges and cameras in the courtroom, case progression and a litigious society, and jury service and pretrial issues. The second half of the series featured the topics of juvenile justice, child abuse and domestic violence, and plea bargaining and sentencing.

In December 1985, the Maryland Judicial Conference, the Maryland State Bar Association and Maryland Public Television were selected to receive a first place award in the American Bar Association's 1985 Law Day USA Public Service Award competition. The award was granted for the first "View From the Bench" program, aired in 1985, in appreciation of the work of the Public Awareness Committee in promoting a better understanding of the American legal system.

Eighty teams from twenty jurisdictions entered the 1986 Maryland high school mock trial competition. The Public Awareness Committee, the Maryland State Bar Association, the Citizenship/Law Related Education Program and the United States Department of Education co-sponsored the annual mock trial competition. Fifty-three Maryland judges volunteered to hear the trials in courthouses throughout the State.

Judicial Information Systems

This past year was one of transition for Judicial Information Systems (JIS). A number of events have taken place that will change the way JIS operates in the future.

Major among the events was the establishment of a Judicial Data Center. Construction of the facility began during December and was completed in March. The first pieces of the large-scale IBM 3083 computer began to arrive shortly thereafter. By the middle of May, the system was out of testing and ready to be placed in operation. The first tasks converted onto the new system were the online and batch processing functions previously performed at the Baltimore City 8th Circuit Court Data Center. That transfer is now complete and all processing transactions are handled by the new data center through newly established communications lines linking the two sites.

Within the next six months, present plans call for the transfer of District Court Traffic and Criminal systems, both online and batch, from the Annapolis Data Center to the new center. After this major conversion, the balance of all jobs presently processed at ADC will be transferred. It is estimated that within the next year, the Judicial Data Center will be handling all of the court's data processing functions through this central location.

In conjunction with the new computing facility, an engineering effort is underway to reroute communications lines to the new center that formerly linked the northern and western courts to the data center in Baltimore. This re-linking effort will both reduce cost and provide faster and more reliable service.

During this past year, the District Court "Maryland Automated Traffic System" (MATS) underwent a total programming rewrite. From simplifying disposition reporting and accounts receivable processing to allowing the districts more flexibility in the use of the system, very little of the original project was left unmodified. This was a major systems and programming effort and accounted for a substantial part of S&P staff time over the past year. Implementation of the revised system is scheduled for July 1, 1986.

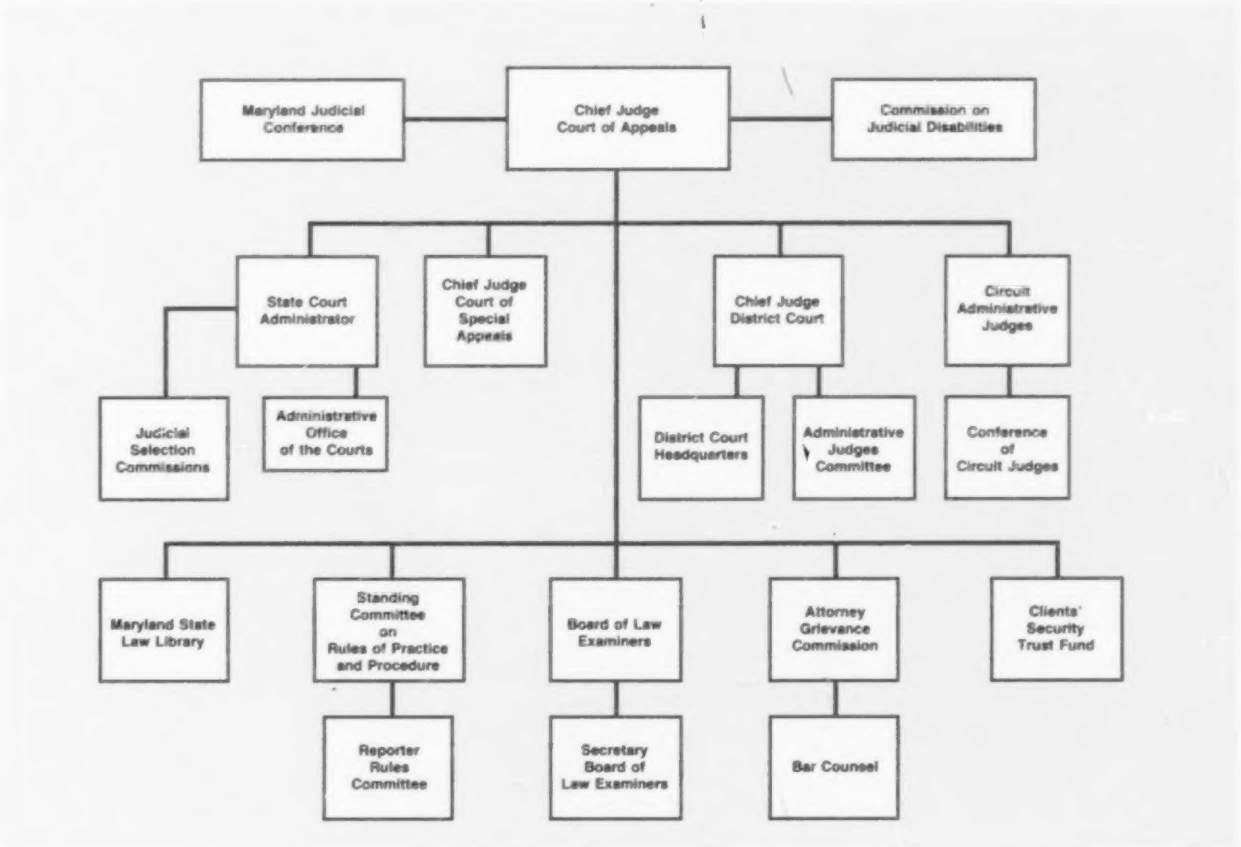
The Eighth Circuit Court One Day/One Trial Jury System also underwent a major modification. The entire set of programs was rewritten and it too is scheduled for implementation on July 1.

The third area to get concentrated programming support during the past year was the Board of Law Examiners. Their system is in the final stages of development and will be given a thorough testing during the upcoming summer law exam period.

Automation in the circuit courts also received special attention during the past year. Several circuit courts already have systems in place while the rest have at least a land records application in operation. However, a Request For Proposal (RFP) was issued recently to conduct a study of the entire system, generate a conceptual design and develop an overall plan to provide DP support throughout the court which is compatible with existing systems presently operational within the State. Responses to the RFP have been evaluated and the selection of the winning bid has been made. The study is anticipated to take six months at which time additional RFP's will be generated to procure the necessary hardware and software to implement the automation plan.

Judicial Special Projects

The Special Projects section meets operational needs of the State courts and the Administrative Office of the Courts. It also performs research and analytical projects at the request of the Chief Judge of the Court of Appeals.


Maryland Judicial Conference
Chief Judge Court of Appeals
Commission on Judicial Disabilities
State Court Administrator
Chief Judge Court of Special Appeals
Chief Judge District Court
Circuit Administrative Judges
Judicial Selection Commissions
Administrative Office of the Courts
District Court Headquarters
Administrative Judges Committee
Conference of Circuit Judges
Maryland State Law Library
Standing Committee on Rules of Practice and Procedure
Board of Law Examiners
Attorney Grievance Commission
Clients' Security Trust Fund
Reporter Rules Committee
Secretary Board of Law Examiners
Bar Counsel

Administrative Organization

This section assists in the coordination of the nomination and election process of the lawyer members for the nine judicial nominating commissions and also provides staff to the various nominating commissions when a judicial vacancy occurs.

A major project that was completed during Fiscal Year 1986 was the construction of a self-contained computer room for the Judicial Information Systems Unit. This effort included bidders' conferences, bid reviews, award of the contract, and construction of the facility at the Maryland Automobile Insurance Fund building on Forest Drive in Annapolis. Staff was provided for the Judicial Conference Civil Committee and the Ad Hoc Committee to Study Alternate Dispute Resolution Mechanisms in Civil Litigation in the Circuit Courts. Efforts are presently underway to revise the *Policy and Procedures Manual*.

Publications prepared by this unit in Fiscal 1986 include the *Judicial Ethics Handbook* and the *Annual Report of the Maryland Judiciary 1984-1985*.

Judicial Research and Planning Services

In Fiscal Year 1986, the Judicial Research and Planning section was created as a special unit in the Administrative Office of the Courts to provide research and management information pertaining to the operations of the judicial branch of government. Among its regularly assigned duties, the unit is responsible for: the annual compilation and preparation of workload data on all court levels for the *Annual Report of the Maryland Judiciary*; the annual preparation of statistical analyses pertaining to judgeship needs found in the Chief Judge's (of the Court of Appeals) *Certification of the Need for Additional Judgeships*; the annual preparation of *The Report to Legislature on Wiretapping and Electronic Surveillance*; the monthly preparation of the Sixty-Day Reserved Case Report on all circuit courts in Maryland; the compilation of fiscal research data including circuit court personnel and budget information and the costs to operate the circuit courts; the annual preparation of data and analyses found in the *AOC Equal Employment Opportunity and Affirmative Action Program*; and the maintenance of the docket of "out-of-state" attorneys granted or denied special admission to practice under Rule 20 of the Bar Admission Rules.

In the past, staff members in the unit have participated and conducted a number of research projects at the request of the Chief Judge of the Court of Appeals and the State Court Administrator (ex: study of costs related to the processing of death penalty cases in the court system, court recording study, etc.). During Fiscal Year 1986, the section assisted a subcommittee of the Conference of Circuit Judges in studying postponement practices and scheduling procedures involving court delay.

During Fiscal Year 1986, the unit also began an initiative to automate several manual procedures in the Administrative Office of the Courts such as those involving the judicial nominating commission process. Staff also was involved with the significant undertaking of typesetting the *Annual Report of the Maryland Judiciary*. In Fiscal Year 1987, these efforts will continue along with staff support for Judicial Conference committees, the Judicial Ethics Committee, and the Appellate and Trial Courts Judicial Nominating Commissions.

Judicial Administrative Services

The Judicial Administrative Services' office prepares and monitors the annual judiciary budget, excluding the District Court of Maryland. All accounts payable for the judiciary are processed through this office and accounting records for revenues and accounts payable are kept by the staff in cooperation with the General Accounting Department of the State Comptroller's Office. Payroll activities and the working fund account are also the responsibility of the Judicial Administrative Services staff. Records must be maintained in order for the legislative auditor to perform timely audits on the fiscal activities of the judiciary. On July 1, 1984, the accounting system was converted to the State Comptroller's data processing accounting system. As of July 1, 1986, the Administrative Office accounting system will be totally automated, compatible with that of the Comptroller's Office.

General supplies and equipment are purchased by this office. Staff also prepare and solicit competitive bids on all major equipment, furniture, and supplies. This section, along with the Department of General Services, insures that the Courts of Appeal building is maintained.

Inventory controls are established for all furniture and equipment used by the judiciary. Other responsibilities include maintaining lease agreements for all leased property, monitoring the safety and maintenance records of the judiciary automobile fleet, and performing special projects as directed by the Chief Judge of the Court of Appeals.

Judicial Personnel Services

The Judicial Personnel unit is presently involved in the development of enhancements to recruiting programs for the timely staffing of units in the Judiciary. Additionally, a program has been initiated for the creation of more definitive classification specifications for the more technical positions assigned to the data processing operation.

The personnel unit has been developing a program of providing more comprehensive services to judicial and nonjudicial personnel and to publicize available information concerning benefits. The unit has completed a massive addition to and revision of personnel policies and procedures which will be made available to all current and new employees.

The unit is in the process of developing a comprehensive performance appraisal system for non-judicial employees. The implemention of the system is scheduled for Fiscal Year 1987 after training in its use is completed by managers, supervisors and employees. The employee grievance system is also being revised to insure that the latest procedures and processes are available to aggrieved employees. In conjunction with the revision, procedures are being prepared that will provide the maximum protection to employees and management during grievance hearings and appeals.

Sentencing Guidelines

For most criminal cases originating in the Maryland circuit courts, guidelines are used to provide judges with information to help them in sentencing and to create a record of all sentences imposed for particular offenses and types of offenders. The guidelines were developed and are evaluated by the judges in consultation with representatives from other criminal justice and related governmental agencies and the private bar. At the direction of the Sentencing Guidelines Board, staff monitor the use of guidelines to insure the completeness and accuracy of the data used to review and update the guidelines.

Ongoing training in the use of guidelines exists in several forms. All appointees to a circuit court receive orientation at the Sentencing Guidelines office in Annapolis prior to being sworn in. At the annual Judicial Institute, there is an opportunity for new judges to ask questions that may have arisen during their first months of using guidelines. An instructional videotape is available for every jurisdiction and is sent upon request. As worksheets are edited, requests for missing information and explanations of wrong guidelines calculations are sent out. There is also a liaison judge in each circuit who provides an unofficial link with the guidelines in his area.

The program's computer functions were changed in Fiscal 1986 from time-sharing with a commercial firm to an in-house operation. The new system is expected to be simpler and more convenient.

Liaison with the Legislative and Executive Branches

The budget is one example of an important area of liaison with both the executive and legislative branches, since judiciary budget requests pass through both and must be given final approval by the latter. In a number of other areas, including the support of or opposition to legislation, the appointment of judges, and criminal justice and other planning, close contact with one or both of the other branches of government is required. On occasion, liaison with local government is also needed. On a day-to-day working level, this liaison is generally supplied by the State Court Administrator and other members of the Administrative Office staff as well as staff members of District Court headquarters. With respect to more fundamental policy issues, including presentation of the State of the Judiciary Message to the General Assembly, the Chief Judge takes an active part. The Chairman of the Conference of Circuit Judges and the Chief Judge of the District Court also participate in liaison activities as appropriate.

Circuit Court Administration

Many of the activities affecting circuit court administration are covered in other sections of this report. Such areas include: the nature and extent of the caseload, judicial assignment, subjects addressed by the Conference of Circuit Judges, and legislation enacted in 1986 affecting the circuit courts including the circuit court clerks' offices.

In the area of juror selection, the Circuit Court for Worcester County has decided to add motor vehicle drivers' license lists to the voter registration lists

Old Courthouse, Ellicott City (Howard County) to increase the number of potential jurors that can be called upon to serve in that county. No other circuit court in the State presently uses this additional source list. The results from using this additional source list will be examined carefully and will be reported on in a subsequent report.

The 1986 Legislative Session saw continued legislative activity concerning the fiscal operation and the administration of the circuit court clerks' offices. As reported in the section of this report on "Judicial Revenues and Expenditures," 1985 saw a significant first step taken that will affect the manner of funding for the clerks' offices for the circuit courts. In 1986, that step came to final fruition with the passage of a constitutional amendment that could change the funding structure. If ratified by the voters at the November 1986 election, these offices will be fully state-funded, with all revenue from fees, costs, and commissions being remitted to the State's General Fund. The impact that this step will have on circuit court administration will be reported in future reports. In addition, the circuit court clerks endorsed a comprehensive study to assess the data processing needs of their offices. During the period covered by this report, the process to select a qualified consultant to conduct the study was undertaken and completed. The study, which will culminate in the preparation of an automation plan for the circuit courts, will begin in the next fiscal year. Here, too, the impact of that study and the recommendations that come from it will be reported on in future annual reports.

District Court Administration

by the Chief Judge of the District Court of Maryland
Robert F. Sweeney

If ever a history of the District Court of Maryland is written, a lengthy chapter must be devoted to the major role played in the Court's operations by the Administrative Judge in each district.

It is obvious from the constitutional provisions creating the District Court and the statutes implementing those articles that it was the Legislature's intent that the District Court be centrally administered as well as fully funded from the single state source. It is also obvious, however, from our constitution and laws, that the framers of the District Court fully recognized that no central administrator in Annapolis could effectively deal with the thousand and one problems that arise in the Court's day to day operations in each Maryland political subdivision. Therefore, in an extraordinary exercise in legislative intuition, our lawmakers created the position of Administrative Judge to provide prompt and effective on-the-scene leadership in operational matters.

The role of Administrative Judge in the District Court is neither honorary nor perfunctory. He, or she, is an absolutely vital ingredient in the Court's administrative mix, and the proper functioning of the Court requires close and constant contact between the Administrative Judge and the Administrative Clerk of the district in the field, the Chief Judge of the Court, and the headquarters staff in Annapolis.

By law, it is the duty of the Administrative Judge to recommend to the Chief Judge the appointment of the clerks, bailiffs, constables, and secretarial personnel who staff the courts in his district. By constitutional provision, it is the Administrative Judge who makes the appointment of the district's commissioners, with the approval of the Chief Judge, and it is the Administrative Judge and the Chief Judge together who make the all-important appointment of the Administrative Clerk in each district.

Space probably would not permit a detailed listing of each of the difficult problems with which an Administrative Judge must deal on a daily basis, but certainly the most important would include scheduling of the judges, controlling the size of the dockets, directing the activities of the Administrative Clerk and supervisors, and dealing with the promotional, training, and disciplinary problems for all of the Court's personnel. The magnitude of these tasks can best be illustrated by the fact that in some of the larger districts, the Court has a caseload in excess of 300,000 per year, and a personnel complement of more than 200.

Equally demanding on the time of the Administrative Judge are the functions of acting as liaison with local prosecutors and police agencies, public defenders and the private Bar, and responding to inquiries and complaints from the general public.

Most extraordinary in all of this is the fact that in each of the Court's twelve districts the Administrative Judge carries a heavy trial schedule in addition to his administrative duties. Although in several of the larger districts the Administrative Judge does not sit as part of the Court's normal judicial rotation, in every district he fully shares in the Court's judicial duties, either by service on the bench or by acting as chambers judge.

Under the Maryland system, service as an Administrative Judge carries with it no additional compensation of any kind. Although from time to time the Legislature has addressed the possibility of supplementing the salary of Administrative Judges, no compensation plan has yet been devised that has been found suitable by the General Assembly.

Under the provisions of Article IV, § 41E of the Constitution of Maryland, the Administrative Judge in each district is appointed by the Chief Judge of the District Court, with the concurrence of the Chief Judge of the Court of Appeals. These appointments are the subject of careful study and deliberation, with the emphasis on administrative ability, leadership qualities, and the ability to work with those in and out of the Court whose cooperation is so necessary to the proper administration of justice.

Assignment of Judges

Under Article IV, § 18(b) of the Maryland Constitution, the Chief Judge of the Court of Appeals has the authority to make temporary assignments of active judges to both the appellate and trial courts. In addition, pursuant to Article IV, § 3A and § 1-302 of the Courts Article, the Chief Judge, with approval of a majority of the judges of the Court of Appeals, recalls former judges to sit in courts throughout the state.

While § 1-302 of the Courts Article sets forth certain conditions that limit the extent to which a former judge can be recalled, this reservoir of available judicial manpower has been exceedingly helpful since the legislation was first enacted almost ten years ago. Using these judges enhances the court's ability to cope with existing caseloads, extended illnesses and judicial vacancies. This is accomplished without calling upon active, full-time judges and, thus, disrupting schedules and delaying case disposition.

In Fiscal 1986, the Chief Judge assigned three active circuit court judges for temporary judicial assignments to the circuit courts other than their own for a total of 14 days. These particular assignments were made pursuant to a predetermined schedule covering a twelve-month period. The schedule provides the Circuit Administrative Judge with advanced notice for the periods for which a particular circuit may be called upon to provide assistance. The circuit administrative judges, pursuant to the Maryland Rules, also moved judges within their circuits. Also, exchanges of judges between circuits took place where there was a need to assign a judge outside the circuit to handle a specific case.

Further assistance to the circuit courts was provided by judges of the District Court in Fiscal 1986. This assistance consisted of 348 judge days. Included in that figure is 212 judge days provided to the Circuit Court for Baltimore City.

A pool of former judges eligible to be recalled significantly aided the circuit courts throughout the fiscal year. The Chief Judge of the Court of Appeals, with the approval of the court, recalled seven former circuit court judges to serve in the circuit courts for 205 judge days.

The Chief Judge of the District Court, pursuant to constitutional authority, made assignments internal to that Court to address unfilled vacancies, backlog, and extended illnesses. In Fiscal 1986, these assignments totaled 503 judge days. In addition, the Chief Judge of the Court of Appeals recalled 11 former District Court judges to sit in that court totaling 333 judge days.

At the appellate level, maximum use of available judicial manpower continued in Fiscal 1986. The Court of Special Appeals caseload is being addressed by limitations on oral argument, assistance by a central professional staff, and pre-hearing settlement conferences. The Chief Judge of the Court of Appeals exercised authority by designating appellate judges to sit in both appellate courts to hear specific cases. Four former appellate judges were recalled to assist both courts for a total of 159 judge days.

Finally, three judges of the Court of Special Appeals were designated to different circuit courts for various lengths to assist those courts in handling the workload, particularly during the summer months.

Railroad Station, Oakland (Garrett County)

Court-Related Units

Court-Related Units

Board of Law Examiners

In Maryland the various courts were originally authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

The Board and its staff administer bar examinations twice annually during the last weeks of February and July. Each is a two-day examination of not more than twelve hours nor less than nine hours' writing.

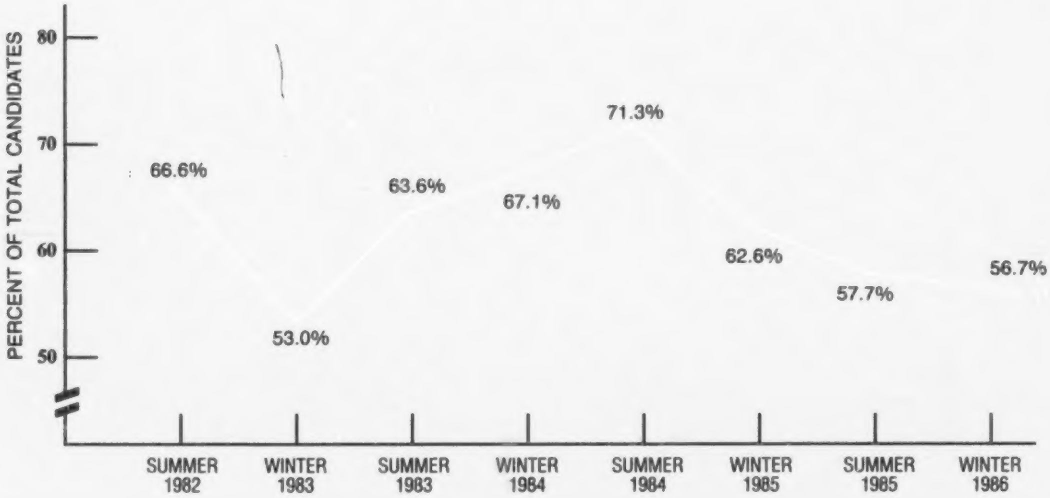
Commencing with the summer 1972 examination and pursuant to rules adopted by the Court of Appeals, the Board adopted, as part of the overall examination, the Multistate Bar Examination. This is the nationally recognized law examination consisting of multiple-choice type questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test now occupies the second day of the examination with the first day devoted to the traditional essay examination, prepared and graded by the Board. The MBE test is now used in forty-eight jurisdictions. It is a six-hour test that covers six subjects: contracts, criminal law, evidence, real property, torts, and constitutional law.

Pursuant to the Rules Governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: agency, business associations, commercial transactions, constitutional law, contracts, criminal law and procedure, evidence, Maryland civil procedure, property and torts. Single questions on the essay examinations may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

Maryland does not participate in the administration of the Multistate Professional Responsibility Examination (MPRE) prepared under the direction of the National Conference of Bar Examiners.

Beginning with the July 1983 examination, by amendment to the Rules of the Court of Appeals of Maryland governing admission to the bar, the subject of professional responsibility under the Canons of Ethics, was added to the list of subjects on the Board's essay test.

The results of the examinations given during Fiscal Year 1986 are as follows: a total of 1220 candidates sat for the July 1985 examination with 704 (57.71 percent) obtaining a passing grade, while 663 sat for the February 1986 examination with 376 (56.71 percent) being successful. Passing percentages for the two previous fiscal years are as follows: July 1983,



Ratio (percent) of successful candidates to total candidates taking the bar examination

63.58 percent and February 1984, 67.08 percent; July 1984, 71.28 percent and February 1985, 62.61 percent.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 14 which governs out-of-state attorney applicants who must take and pass an attorney examination. That examination is an essay type test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases and also the Code of Professional Responsibility. The test is of three hours' duration and is administered on the first day of the regularly scheduled bar examination.

Commencing with the February 1985 attorney examination, the revised Maryland Rules of Procedure, which became effective July 1, 1984, were used. They were also used on the regular bar examination.

At the attorney examination administered in July 1985, 95 applicants took the examination for the first time along with 10 who had been unsuccessful on a prior examination for a total of 105 applicants. Out of this number 93 passed. This represents a passing rate of 88.57 percent.

In February 1986, 96 new applicants took the examination for the first time along with 10 applicants who had been unsuccessful on a prior examination for a total of 106 applicants. Out of this number 94 passed. This represents a passing rate of 88.67 percent.

By order of the Court of Appeals of Maryland, dated January 22, 1982, the requirement that all applicants be domiciliaries of the State of Maryland by time of admission to the bar was abolished.

The State Board of Law Examiners

Charles H. Dorsey, Jr., Esquire; Chairman (Member of the Baltimore City Bar)
William F. Abell, Jr., Esquire; Montgomery County Bar
John F. Mudd, Esquire; Charles County Bar
Robert H. Reinhart, Esquire; Allegany County Bar
John W. Sause, Jr., Esquire; Queen Anne's County Bar
Deborah E. Jennings, Esquire; Baltimore City Bar
Jonathan A. Azrael, Esquire; Baltimore City Bar

Results of examinations given by the State Board of Law Examiners during Fiscal Year 1986 are as follows:

Examination	**Number of Candidates**	**Total Successful Candidates**	**Number of Candidates Taking First Time**	**Number of Candidates Passing First Time***
SUMMER 1985 (July)	1,220	704 (57.70%)	1,053	675 (64.10%)
Graduates University of Baltimore	205	118 (57.56%)	175	115 (65.71%)
Graduates University of Maryland	225	140 (62.22%)	198	136 (68.68%)
Graduates Out-of-State Law Schools	790	446 (56.45%)	680	424 (62.35%)
WINTER 1986 (February)	663	376 (56.71%)	313	194 (61.98%)
Graduates University of Baltimore	130	84 (64.61%)	63	50 (79.36%)
Graduates University of Maryland	87	40 (45.97%)	20	10 (50.00%)
Graduates Out-of-State Law Schools	446	252 (56.50%)	230	134 (58.26%)

*Percentages are based upon the number of first-time candidates.

Rules Committee

Under Article IV, Section 18(a) of the Maryland Constitution, the Court of Appeals is empowered to regulate and revise the practice and procedure in, and the judicial administration of, the courts of this State. Under the Code, Courts Article § 13-301, the Court of Appeals may appoint "a standing committee of lawyers, judges, and other persons competent in judicial practice, procedure or administration" to assist the Court in the exercise of its rule-making power. The Standing Committee on Rules of Practice and Procedure, often referred to simply as the Rules Committee, was originally appointed in 1946 to succeed an ad hoc Committee on Rules of Practice and Procedure created in 1940. Its members meet regularly to consider proposed amendments and additions to the Maryland Rules of Procedure and submit recommendations for change to the Court of Appeals.

Completion of the comprehensive reorganization and revision of the Maryland Rules of Procedure continues to be the primary goal of the Rules Committee. Phase I of this project culminated with the adoption by the Court of Appeals of Titles 1, 2, 3, and 4 of the Maryland Rules of Procedure which became effective July 1, 1984. The Committee is currently working on Phase II of the project which involves the remainder of the Maryland Rules, Chapters 800 through 1300.

During the past year, the Rules Committee submitted to the Court of Appeals certain rules changes and additions considered necessary. The proposed changes were set forth in the Committee's Ninety-second Report, the Supplement to the Ninety-second Report, the Ninety-third Report, and the Ninety-fourth Report.

Pursuant to the Ninety-second Report, the Court of Appeals adopted changes, effective July 1, 1986, to twenty-four rules. The majority of the changes were designed to correct problems perceived in Titles 1, 2, 3, and 4 of the Maryland Rules. In addition, Rules 891 and 1092 were amended so as to permit the citation of unreported opinions in the Court of Appeals and the Court of Special Appeals for any purpose other than as precedent within the rule of stare decisis. The Ninety-second Report was published in the *Maryland Register*, Vol. 12, Issue 19 (December 13, 1985).

After consideration of the Supplement to the Ninety-second Report, the Court adopted rules changes, effective July 1, 1986, to thirty-three rules and the Bail Bond form set forth at the end of Title 4. Like the majority of changes adopted pursuant to the Ninety-second Report, these changes were predominantly intended to correct problems highlighted by practice under the relatively new Titles 1, 2, 3, and 4 of the Maryland Rules. Also, Rule W74 a 2(c) was modified in order to provide consistency between the rule and the recently revised statutory provision set forth in the Code, Real Property Article, § 7-105(b)(2). The Supplement was published in the *Maryland Register*, Vol. 12, Issue 21 (October 10, 1985).

The Order of the Court of Appeals adopting rules changes pursuant to the Ninety-second Report and Supplement was published in the *Maryland Register*, Vol. 13, Issue 9 (April 25, 1986). By an order published in the *Maryland Register*, Vol. 13, Issue 12 (June 6, 1986), the Court rejected proposed new Rules BR7 and BR8 and proposed amendments to Rules 1-102 and W74 e. These proposals were submitted to the Court with the Committee's Ninety-second Report and were designed to replace local rules governing compensation of trustees and auctioneers in judicial sales with a uniform rule. The Court, by the same order, adopted a proposed change to Rule BR1 for the purpose of clarifying that a sale of levied or garnished property by a sheriff is not a "judicial sale" governed by the Subtitle BR Rules.

In its Ninety-third Report, the Rules Committee submitted to the Court of Appeals proposed amendments to the BV Rules governing attorney disciplinary proceedings. The proposed changes were designed primarily to expand the coverage of the rules so as to include a member of the bar of another state or district or territory of the United States who practices in Maryland or holds himself or herself out as practicing in Maryland. Changes to Rules BV1, BV6, BV13, and BV14 were adopted by the Court by Order dated April 7, 1986, with an effective date of January 1, 1987. The Order was published in the *Maryland Register*, Vol. 13, Issue 9 (April 25, 1986).

Pursuant to the Committee's Ninety-fourth Report, the Court adopted changes to Rule 2-541 and Rules D72, D74, and D76. The amendments in Rule 2-541(b) and (g) were made in order to provide that a motion for stay of an earnings withholding order shall be referred to a master as a matter of course and that the order recommended by the master shall be entered immediately by the court subject to a later determination on any exceptions filed. The changes to Rules D72, D74, and D76 increase and simplify the notice given to a natural parent of the filing of a petition for adoption or guardianship and, further, simplify the procedure by which a natural parent may contest the proceeding and request appointment of counsel. These changes were adopted by the Court by Order dated May 2, 1986, with an effective date of July 1, 1986. The Order was published in the *Maryland Register*, Vol. 13, Issue 11 (May 23, 1986).

The Standing Committee on Rules of Practice and Procedure

Hon. Alan M. Wilner, Chairman; Court of Special Appeals

Hon. Walter M. Baker, State Senator, Cecil County

Lowell R. Bowen, Esq., Baltimore City Bar

Professor Robert R. Bowie, Talbot County Bar

Albert D. Brault, Esq., Montgomery County Bar

Hon. Howard S. Chasanow, Circuit Court for Prince George's County

D. Warren Donohue, Esq., Montgomery County Bar

William A. Franch, Esq., Anne Arundel County Bar

John O. Herrmann, Esq., Baltimore City Bar

H. Thomas Howell, Esq., Baltimore City Bar

Hon. Frederick W. Invernizzi, District Court for Baltimore City (retired)

Alexander G. Jones, Esq., Somerset County Bar

Hon. Joseph H.H. Kaplan, Administrative Judge, Circuit Court for Baltimore City

James J. Lombardi, Esq., Prince George's County Bar

Paul V. Niemeyer, Esq., Baltimore City Bar

Anne C. Ogletree, Esq., Caroline County Bar

Hon. Joseph E. Owens, Chairman of the Judiciary Committee, House of Delegates, Montgomery County

Hon. Kenneth C. Proctor, Circuit Court for Baltimore County (retired); *Emeritus*

Linda M. Richards, Esq., Baltimore City Bar

Hon. Mary Ellen T. Rinehardt, District Court for Baltimore City

Hon. A. James Smith, Clerk, Circuit Court for Wicomico County

Melvin J. Sykes, Esq., Baltimore City Bar

Alexander Williams, Jr., Esq., Prince George's County Bar

Julia M. Freit, Esq., Reporter

Sherie B. Libber, Esq., Assistant Reporter

State Law Library

The objective of the Maryland State Law Library is to provide an optimum level of support for all the legal and general reference research activities of the Court of Appeals, Court of Special Appeals, and other court related units within the judiciary. A full range of information services is also extended to every branch of State government and to citizens throughout Maryland.

Originally established by an act of the legislature in 1827, the Library is now governed by a Library Committee whose powers include appointment of the director of the Library as well as general rule-making authority.

With a collection in excess of 227,000 volumes, this specialized facility offers researchers access to three distinct and comprehensive libraries of law, general reference/government documents and Maryland history and genealogy. Of special note are the Library's holdings of state and federal government publications which add tremendous latitude to the scope of research materials found in most law libraries. An additional research tool available to court and other State legal personnel is Mead Data Central's computer assisted legal research service, Lexis.

Over the past four years, the Library has made substantial improvements to its collections. The Library now contains holdings of all the out-of-state codes, appellate court rules and official state court reports. The United States Supreme Court records and briefs on microfiche have been added since the 1980 Term.

Additionally, the Library has been upgrading its Maryland legislative history files and has gathered a complete collection of task force and study commission reports. The Legislative Committee files microfilmed by the Department of Legislative Reference are also being acquired on a piecemeal basis. Currently, the Library has a complete file for 1978-1979. Additional sets added to the law collection over the past year include the remainder of West's Regional Digests and the full *English Report*, Reprint series.

On-line cataloging and reclassification of the entire collection continue to be a high priority effort. The Library began participating in a cooperative cataloging program with a number of state publication depository libraries this past year. In all, some 3500 titles have been processed on OCLC during Fiscal 1986.

Technical assistance was provided to five circuit court libraries in the further development of their library services. Consultations included collection development, collection cataloging, insurance appraisal, library design, space planning, and computer-assisted legal research systems.

During the past year, the Library continued to participate in RSVP (Retired Senior Volunteer Program) through Anne Arundel County. This program has provided the Library with a number of part-time volunteers who have initiated and completed a number of important indexing and clerical projects.

As a part of its public relations and information dissemination effort, the Library continued the publication of the quarterly *Recent Acquisitions of the Maryland State Law Library*.

Two new publications issued by the Library were a well received guide to conducting legislative history research in Maryland entitled *Ghosthunting: Finding Legislative Intent in Maryland, A Checklist of Sources*, an updated *Divorce Bibliography* and *DWI: Where to Find the Law in Maryland*.

Members of the staff continue to be active on the lecture circuit, addressing high school and college classes, and professional organizations on the basics of legal research techniques and also appearing before genealogy societies to discuss the collections and services available from the Library.

The Library has also been active in assisting various groups in their plans to celebrate the bicentennial of the U.S. Constitution. Additionally, the Maryland Commission for Women designated the law library as the home for their Maryland Women's Hall of Fame. In conjunction with this honor, the Library has begun to assemble an exhaustive resource collection of information on all inductees into this prestigious honorary society.

Of paramount importance to the population served by any government entity, is reasonable access to the service provided. In 1985, the Library expanded its hours of opening to include Tuesday evenings.

Work has begun to place the Library on a separate air-conditioning system, thus affording the absolute minimum protection for the priceless collection and users of the facility.

Located on the first floor of the Courts of Appeal Building, the Library is open to the public Monday, Wednesday, Friday, 8:30 a.m. – 4:30 p.m.; Tuesday and Thursday, 8:30 a.m. – 9:00 p.m.; and Saturday, 9:00 a.m. – 4:00 p.m.

Summary of Library Use
Fiscal 1986

Reference inquiries	16,453
Volumes circulated to patrons	2,758
Interlibrary loan requests filled	436

Attorney Grievance Commission

By Rule of the Court of Appeals, the Attorney Grievance Commission was created in 1975 to supervise and administer the discipline and inactive status of lawyers. The Commission consists of eight lawyers and two lay persons appointed by the Court of Appeals for four-year terms. No member is eligible for reappointment for a term immediately following the expiration of the member's service for one full term of four years. The Chairman of the Commission is designated by the Court. Members of the Commission serve without compensation. The Commission appoints, subject to approval of the Court of Appeals, a lawyer to serve as Bar Counsel and principal executive officer of the disciplinary system. Duties of the Bar Counsel and his staff include investigation of all matters involving possible misconduct, prosecution of disciplinary proceedings and investigation of petitions for reinstatement.

By Rule of Court, the Court of Appeals also established a disciplinary fund to cover expenses of the Commission and provided for an Inquiry Committee and Review Board to act upon disciplinary cases. The fund is endowed by an annual assessment upon members of the bar as a condition precedent to the practice of law. The Inquiry Committee consists of about 350 volunteers, one-third of whom are non-lawyers and two-thirds lawyers, each appointed for a three year term. The Review Board consists of eighteen persons, fifteen of whom are attorneys and three of whom are non-lawyers from the State at large. Members of the Review Board serve three-year terms and are ineligible for reappointment.

Inventoried complaints this year were ten percent greater than Fiscal Year 1985. More open complaints remained at the end of the year than compared to the end of Fiscal Year 1985. The nature of complaints continues to be more complex and time consuming. More complaints were awaiting action at all levels except the Review Board which had fewer matters left at the end of this fiscal year. There are essentially no unnecessary delays in processing complaints.

An additional investigator and a fourth assistant bar counsel approved for next year will allow Bar Counsel's office to process expeditiously the increasing number of complaints being filed. Changes in Inquiry Committee procedures adopted at the beginning of the year have eliminated unnecessary delays at that level, and additional panels will be used if necessary to maintain this record.

The number of lawyers disbarred this year was twenty, more than any previous year, as compared to eleven in Fiscal Year 1985. Bar Counsel continued to devote a greater part of his efforts to the more complex cases.

The Commission provides financial support for the Lawyer Counseling program of the Maryland State Bar Association, Inc. Complaints against lawyers sometimes result from mental illness, dependance on alcohol or drugs or simply poor organization of their work. The counseling program helps lawyers with these problems. Bar counsel continues to find referrals to the counseling system to be helpful in avoiding more serious disciplinary problems.

Summary of Disciplinary Action

	1981 -82	1982 -83	1983 -84	1984 -85	1985 -86
Inquiries Received (No Misconduct)	741	1,052	903	988	1,028
Complaints Received (Prima Facie Misconduct Indicated)	326	280	364	295	369
Complaints Concluded	337	269	315	319	285
Disciplinary Action Taken by Number of Attorneys:					
Disbarred	8	11	5	8	7
Disbarred by Consent	2	5	7	3	13
Suspension	4	3	7	11	12
Public Reprimand	2	3	4	3	6
Private Reprimand	7	8	13	7	9
Placed on Inactive Status	3	0	1	2	1
Dismissed by Court	4	3	7	7	2
Petitions for Reinstatement Granted	3	0	1	2	0
Resignation with Prejudice	0	0	0	1	0
Number of Attorneys	33	33	45	44	50

The Commission and Bar Counsel communicate with Maryland lawyers and the public through articles on disciplinary matters in the *Maryland Bar Journal*, continuing legal education seminars, addresses at public schools and bar association meetings, legal ethics courses, and appearances before court-related agencies. Efforts are continually made to inform attorneys and clients of how disciplinary infractions arise. It is hoped that increasing awareness of problem areas in the practice will reduce the number of unintended infractions of disciplinary rules.

The Commission maintains a toll-free number for incoming calls from anywhere within Maryland for the convenience of complainants and for volunteers who serve in the system.

The Commission's expenses exceeded income this year and available reserve funds remaining are barely adequate to carry the Commission into the next fiscal year. Accordingly, the amounts of the assessments of the attorneys were increased by Order of the Court of Appeals to $55 for attorneys of more than five years standing and $27 for attorneys who have not been admitted that long. With the additional funds thus provided, the Commission has budgeted a small surplus for Fiscal Year 1987.

On April 15, 1986, the Court of Appeals adopted the new Maryland Rules of Professional Conduct, effective January 1, 1987.

Clients' Security Trust Fund

The Clients' Security Trust Fund was established by an act of the Maryland Legislature in 1965 (Code, Article 10, Sec. 43). The statute empowers the Court of Appeals to provide by rule for the operation of the Fund and to require from each lawyer an annual assessment as a condition precedent to the practice of law in the State of Maryland. Rules of the Court of Appeals that are now in effect are set forth in Maryland Rule 1228.

The purpose of the Clients' Security Trust Fund is to maintain the integrity and protect the name of the legal profession. It reimburses clients for losses to the extent authorized by these rules and deemed proper and reasonable by the trustees. This includes losses caused by misappropriation of funds by members of the Maryland Bar acting either as attorneys or as fiduciaries (except to the extent to which they are bonded.)

Seven trustees are appointed by the Court of Appeals from the Maryland Bar. One trustee is appointed from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit. One additional lay trustee is appointed by the Court of Appeals from the State at large. Trustees serve on a staggered seven-year basis.

The Fund began its twentieth year on July 1, 1985, with a fund balance of $1,129,955.85, as compared to a fund balance of $1,130,323.45 for July 1, 1984.

The Fund ended its twentieth year on June 30, 1986, with a fund balance of $1,262,497.54, as compared to a fund balance for the year ending June 30, 1985, of $1,129,955.85.

At their meeting of August 8, 1985, the trustees elected the following members to serve as officers through the fiscal year ending June 30, 1986: Carlyle J. Lancaster, Esq., Chairman; Victor H. Laws, Esq., Vice Chairman; Vincent L. Gingerich, Esq., Secretary; and Isaac Hecht, Esq., Treasurer.

Barbara Ann Spicer, Esq., was appointed trustee in the place of Wilbur D. Preston, Jr., Esq., who had resigned on June 20, 1985, to accept the appointment of Special Counsel to investigate the savings and loan industry.

During the fiscal year July 1, 1985 through June 30, 1986, the trustees met on four occasions and during the fiscal year, the trustees paid claims amounting to $29,098.25. There are twenty-seven (27) claims with a current liability exposure approximating $843,631.00. These claims are in the process of investigation.

During the fiscal year ending June 30, 1986, the Fund derived the sum of $137,086.00 from assessments, as compared with the sum of $126,590.50 for the preceding fiscal year and had interest income in the sum of $128,545.35 as compared with the sum of $132,260.45 for the previous fiscal year.

On June 30, 1986, the end of the current fiscal year, there were 16,063 lawyers subject to annual assessments. Of this number, 11,079 attorneys were subject to the $10.00 per year assessment and, of this number, 59 attorneys have failed to pay. The remaining 4,984 attorneys were subject to a $3.00 per year assessment and, of this number, 48 attorneys have failed to pay.

In accordance with the Maryland Rules of Procedure, the nonpaying attorneys' names will be stricken from the list of practicing attorneys in this State after certain procedural steps have been taken by the trustees.

Concord Point Lighthouse (Harford County)

Judicial Conferences

Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945 by the Honorable Ogle Marbury, then Chief Judge of the Court of Appeals. It currently exists under provisions of Maryland Rule 1226, which directs it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice in Maryland and the judicial system in Maryland."

The Conference consists of 219 judges of the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties and Baltimore City, and the District Court of Maryland. The Chief Judge of the Court of Appeals is its chairman; the State Court Administrator is the executive secretary. The Conference meets annually in plenary session. Between these sessions, its work is conducted by an Executive Committee and by a number of other committees, as established by the Executive Committee in consultation with the Chief Judge. In general, the chairmen and members of these committees are appointed by the chairman of the Executive Committee in consultation with the Chief Judge. The various committees are provided staff support by personnel of the Administrative Office of the Courts.

The Executive Committee

The Executive Committee consists of 17 judges elected by their peers from all court levels in the State. The Chief Judge of the Court of Appeals serves as an ex-officio non-voting member. It elects its own chairman and vice-chairman. Its major functions are to "perform the functions of the Conference" between plenary sessions and to submit "recommendations for the improvement of the administration of justice" in Maryland to the Chief Judge of the Court of Appeals, the Court of Appeals, and the full Conference as appropriate. The Executive Committee may also submit recommendations to the Governor, the General Assembly, or both of them. These recommendations are transmitted through the Chief Judge of the Court of Appeals and are forwarded to the Governor or General Assembly, or both, with any comments or additional recommendations deemed appropriate by the Chief Judge or the Court.

During Fiscal 1986, the Executive Committee elected the Honorable Alfred T. Truitt, Jr., Associate Judge of the Circuit Court for Wicomico County, as its chairman, and the Honorable Robert C. Nalley, Administrative Judge of District Four of the District Court, as its vice-chairman.

The Executive Committee met almost monthly and planned the 1986 Maryland Judicial Conference and reviewed the work of the various committees. The Executive Committee referred many matters to the General Assembly for action.

Meeting of the Maryland Judicial Conference

The Forty-first Annual Meeting of the Maryland Judicial Conference was held on May 8 and 9, 1986, in Baltimore, Maryland, at the Omni International Hotel.

The judges participated in the business meeting at which reports of the Conference's committees were presented. Reports requiring action were those of the Judicial Ethics Committee and the Criminal Law and Procedure Committee. The report of the Judicial Ethics Committee proposing a new Code of Judicial Conduct was approved as amended and the Conference recommended that the Code be referred to the Court of Appeals for its consideration and adoption.

The Criminal Law and Procedure Committee's report with recommendations on the Post Conviction Remedies was presented but since the 1986 session of the General Assembly had passed a bill which contained a main element of the recommendations, it was referred to the Executive Committee for further consideration.

On the second day, a panel discussed "Health Care Required—Medical Care Refined." The panel included Judges Richard P. Gilbert, John F. McAuliffe, Mary Ellen T. Rinehardt, and Clater W. Smith, Jr., with Judge John J. Bishop, Jr., as moderator.

Alternate Dispute Resolution Mechanisms in Civil Litigation was also on the agenda with Judge J. William Hinkel reporting for the Ad Hoc Committee which he chaired. The Committee also presented Jonathan Marks, Esquire, President of En Dispute, Inc., for further discussions on the subject.

Judges participated in the group discussions of recent Maryland appellate decisions. They selected from among six small group sessions on different cases involving: restitution in criminal juvenile cases, products liability, search and seizure, statute of limitations—discovery rule, hearsay and its exceptions and marital property.

Meadow Brook Farm, Westminster (Carroll County)

Conference of Circuit Judges

The Conference of Circuit Judges was established pursuant to Maryland Rule 1207 to make recommendations on the administration of the circuit courts. Membership includes the eight Circuit Administrative Judges and one judge elected from each of the eight circuits for a two-year term. The chair is also elected by the Conference for a two-year term. In Fiscal 1986, the Conference met four times to address various concerns of the circuit court judges. The following highlights some of the more important matters considered by the Conference.

The Conference:

1. Supports legislation.

The Conference expressed its support for and opposition to various legislative proposals, including support for Maryland Judicial Conference legislation. The Conference of Circuit Judges also reintroduced the bill to repeal a section of the Health Article with which it had very serious concerns. Under the existing law and under certain circumstances, an inmate in a state correctional institution had to be committed or transferred to the "custody" of the State's Drug Abuse Administration if the inmate proved that he was a drug addict and a danger to himself or others. Even though a commitment could not take place unless the Administration had the staff and space to accommodate the inmate, there was no judicial discretion. The Conference's major concern is that there are no *secure* facilities for those who are committed. Through the Conference's effort and the support of the State's Attorneys' Association, the Division of Correction, the Public Defender, and with no opposition from the Department of Health and Mental Hygiene, the bill was enacted and became effective July 1, 1986. It also terminates all pending proceedings, including appeals. Judicial Conference legislation supported by the Conference is reported in the section of this report entitled *1986 Legislation Affecting the Courts.*

2. Urges rule changes.

The Conference referred to the Standing Committee on Rules of Practice and Procedure of the Court of Appeals various proposals to amend certain Maryland Rules. One proposal dealt with Rule 4-217 (Bail Bonds). The Conference is particularly concerned with the procedures for handling property bonds in those cases in which the property is located outside the county in which the case is pending. Certain amendments to the Rule were proposed that would, hopefully, provide better control over the manner in which these bonds are filed in the various courts throughout the

State. Another proposal concerned Rule S72 f (Pleadings—Financial Statements to be Filed) in connection with the valuation of marital property. In this case, the Conference is concerned that litigants often come to court unprepared to present evidence as to the value of marital and non-marital property. The proposed amendment would require litigants to file, sometime prior to trial, itemized statements dealing with such valuation. Still another referral urged consideration of amending Rule 2-331 and Rule 2-303(c) to exclude certain cross filings in support proceedings instituted by the State's Attorney under Family Law Article Section 10-115. Specifically, the Conference seeks to amend Rule 2-303(c) and Rule 2-331 to preclude the filing of cross claims for divorce and custody in civil support proceedings brought by the State's Attorney. Apparently, private counsel are filing such cross claims in a non-support action that is brought by the local prosecutor as authorized under Section 10-115 of the Family Law Article. The Conference also referred this matter to the Executive Committee for possible legislative changes.

3. Continued communication with department officials.

The Conference continued to cooperate with the Department of Health and Mental Hygiene in the adoption of procedures to be followed in court referrals. The Conference endorsed the promulgation of guidelines for the commitment of a criminal defendant for alcohol or drug evaluation and treatment under the Health Article, Section 8-510 and Section 9-701. In addition, and at the request of the Community Forensic Screening Program of the Department, it endorsed for use state-wide a standard court order evaluation form to determine competency to stand trial and criminal responsibility for the offense.

4. Approves promulgation of a regulation on the disposition of court reporter notes.

For several years, the Conference has been concerned with a need to adopt procedures regarding the preservation and maintenance of court reporter notes in the circuit courts. There is presently a very severe storage problem existing; some notes having been maintained for over 20 years. After full deliberations, the Conference has recommended to the Chief Judge the adoption of a regulation which establishes a schedule for the disposition of court reporter notes to relieve this situation.

Administrative Judges Committee of the District Court

by the Chief Judge of the District Court of Maryland Robert F. Sweeney

The Administrative Judges Committee of the District Court, unlike its counterpart, the Conference of Circuit Judges, was not established by rule of the Court of Appeals, but arose almost inherently from the constitutional and statutory provisions which created the District Court of Maryland in 1971.

Under Article IV of the Maryland Constitution and the implementing legislation in the Courts and Judicial Proceedings Article, the District Court is a single, statewide entity. The Chief Judge is responsible for the maintenance, administration, and operation of the District Court at all of its locations throughout the State, with constitutional accountability to the Chief Judge of the Court of Appeals. The administrative judges in each of the District Court's twelve districts are in turn responsible to the Court's Chief Judge for the administration, operation, and maintenance of the District Court in their respective district.

To enable these thirteen constitutional administrators to speak with one voice, the Chief Judge formed the Administrative Judges Committee when the Court began in 1971. In 1978, when Maryland Rule 1207 was amended to provide for election of some of the members of the Conference of Circuit Judges, he provided for the biannual election of five trial judges of the District Court to serve on the Committee with the District Court's twelve administrative judges. The Chief Judge, ex-officio, serves as Chairman of this Committee.

At its quarterly meetings during Fiscal 1986, the Committee acted on more than half a hundred items. Among the more significant were:

(1) Development of internal procedures implementing changes in the civil and criminal rules;

(2) The total revision of the charging document language listed in the schedule of pre-set fines for motor vehicle cases;

(3) Revisions to certain of the pre-set fines, particularly those relating to stop signs/red lights and improperly secured loads on trucks and tractor-trailers;

(4) Initiating requests for legislation in the motor vehicle area; and

(5) Adoption of a uniform dress code for District Court Commissioners and clerical employees.

Additionally, the Administrative Judges Committee worked closely with the Chief Judge in helping to bring about reclassification for more than 500 of the Court's employees through the General Assembly. Also, the Committee, the Chief Judge, and the Chief Clerk worked in close concert with the Judicial Information Systems in a major redesign of the Maryland Automated Traffic System.

The Administrative Judges Committee also reviewed bills pending before the General Assembly and made recommendations concerning them to the Executive Committee of the Maryland Judicial Conference, and made recommendations to the Standing Committee on the Rules of Practice and Procedure pertaining to the civil and criminal rules.

Appointment, Discipline, and Removal of Judges

Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor normally is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residency in Maryland for at least five years and in the appropriate circuit, district or county, for at least six months; registration as a qualified voter; admission to practice law in Maryland; and the minimum age of 30. In addition, a judicial appointee must be selected from those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with no guidance as to how he is to go about exercising his discretion in making judicial appointments. Maryland governors have themselves filled that gap, however, by establishing Judicial Nominating Commissions.

Judicial Nominating Commissions

Before 1971, Maryland governors exercised their powers to appoint judges subject only to such advice as a particular governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Because of dissatisfaction with this process, as well as concern with other aspects of judicial selection and retention procedures in Maryland, the Maryland State Bar Association for many years pressed for the adoption of some form of what is generally known as "merit selection" procedures.

In 1970, these efforts bore fruit when former Governor Marvin Mandel, by Executive Order, established a statewide Judicial Nominating Commission to propose nominees for appointment to the appellate courts, and eight regional Trial Court Nominating Commissions to perform the same function with respect to trial court vacancies. These nine commissions began operations in 1971, and since then, each judicial vacancy filled pursuant to the governor's appointing power has been filled from a list of nominees submitted by a Nominating Commission.

As presently structured, under an Executive Order issued by Governor Harry Hughes on June 8, 1979, and amended February 10, 1986, each of the nine commissions consists of six lawyer members elected by other lawyers within designated geographical areas; six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person, appointed by the Governor. The Administrative Office of the Courts acts as a secretariat to all commissions and provides them with staff and logistical support.

When a judicial vacancy occurs or is about to occur, the Administrative Office of the Courts notifies the appropriate commission and places announcements in *The Daily Record*. Notice of the vacancy is also sent to the Maryland State Bar Association and local bar association.

The Commission then meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Each candidate is interviewed either by the full Commission or by the Commission panels. After discussion of the candidates, the Commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list is prepared by secret written ballot. No Commission may vote unless at least 10 of its 13 members are present. An applicant may be included on the list if he or she obtains a majority of votes of the Commission members present at a voting session. The list is then forwarded to the Governor who is bound by the Executive Order to make his appointment from the Commission list.

During Fiscal 1986, 24 vacancies occurred. This compares to 18 vacancies in Fiscal 1985, two of which were not filled until Fiscal 1986. The Appellate Judicial Nominating Commission met once during Fiscal 1986. The First and Second Judicial Nominating Commissions each met once. The Third and Seventh Judicial Nominating Commissions met five times. The Sixth and Eighth Judicial Nominating Commissions met three and six times, respectively.

The accompanying table gives comparative statistics pertaining to vacancies, number of applicants, and number of nominees over the past nine fiscal years. In reviewing the number of applicants and the number of nominees, it should be noted that under the Executive Order, a pooling system is used. Under this pooling system, persons nominated as fully qualified for appointment to a particular court level are automatically submitted again to the Governor, along with any additional nominees, for new vacancies on that particular court that occur within 12 months of the date of initial nomination. The table does not reflect these pooling arrangements. It shows new applicants and new nominees only.

The one vacancy on the Appellate Court was filled from the circuit court bench.

All twelve of the circuit court vacancies were filled during the fiscal year. Two appointments were from the District Court bench while four appointments were from the private bar. Three appointments were from the public sector. The remaining three vacancies were reappointments.

The eleven District Court appointments filled during Fiscal 1986 were composed of nine appointments from the private bar and two appointments from the public sector.

Judicial Nominating Commission Statistics
Judicial Vacancies and Nominees from Fiscal 1978 to Fiscal 1986

		Court of Appeals	Court of Special Appeals	Circuit Courts/ Supreme Bench	District Court	TOTAL
FY 1978	Vacancies	1	3	17	9	30[a]
	Applicants	13	25	130	150	318
	Nominees	5	12	47	40	104
FY 1979	Vacancies	1	1	7	11	20[b]
	Applicants	4	25	38	67	134
	Nominees	4	6	18	31	59
FY 1980	Vacancies	1	0	13	11	25[c]
	Applicants	5	0	87	135	227
	Nominees	3	0	27	28	58
FY 1981	Vacancies	0	0	3	10	13[d]
	Applicants	0	0	30[e]	69[e]	99[e]
	Nominees	0	0	6[e]	24[e]	30[e]
FY 1982	Vacancies	1	1	12	11	25[f]
	Applicants	5	7	96[e]	142[e]	250[e]
	Nominees	4	4	26[e]	30[e]	64[e]
FY 1983	Vacancies	0	4	8	5	17[g]
	Applicants	0	32	74[e]	70[e]	176[e]
	Nominees	0	16	17[e]	22[e]	55[e]
FY 1984	Vacancies	0	2	12	10	24[h]
	Applicants	0	27	91[e]	195[e]	313[e]
	Nominees	0	12	29[e]	37[e]	78[e]
FY 1985	Vacancies	1	1	9	7	18[i]
	Applicants	3	5	79[e]	122[e]	209[e]
	Nominees	3	3	24[e]	34[e]	64[e]
FY 1986	Vacancies	0	1	12	11	24
	Applicants	0	5	69[e]	125[e]	199[e]
	Nominees	0	4	22[e]	34[e]	60[e]

[a] In Fiscal 1978, all vacancies that occurred during the year were filled. Three additional vacancies that occurred during the year were filled.

[b] In Fiscal 1979, two additional vacancies occurred during the fiscal year, but were not filled until FY 80.

[c] In Fiscal 1980, three new vacancies occurred during the fiscal year but were not filled during that year. Two vacancies that occurred in FY 79 were filled.

[d] In Fiscal 1981, three vacancies were filled that had occurred in Fiscal 1980.

[e] Because of the pooling arrangements available under the Executive Order during the past six fiscal years, the number of applicants and nominees in these years may be somewhat understated. The numbers given in the chart do not include individuals whose names were available for consideration by the Governor pursuant to the pooling arrangement.

[f] Three vacancies that occurred in FY 81 were filled in FY 82. Two vacancies that occurred in FY 82 were not filled until FY 83.

[g] Five vacancies that occurred in FY 83 were not filled until FY 84.

[h] Six vacancies that occurred in FY 84 were not filled until FY 85.

[i] Two vacancies that occurred in FY 85 were not filled until FY 86.

Judicial Nominating Commissions

as of September 2, 1986

APPELLATE

James J. Cromwell, Esq., Chair

Peter Ayers Wimbrow, III, Esq.
E. Scott Moore, Esq.
Albert D. Brault, Esq.
George A. Brugger, Esq.
James B. Dudley, Esq.
Roger S. Redden, Esq.

Jane W. Bailey
Harry Ratrie
Gloria Cole
John M. Sine
George W. Settle, M.D.
Flossie M. Dedmond

TRIAL COURT

First Judicial Circuit

John R. Purnell, Chair

Sally D. Adkins, Esq.
Harold B. Gordy, Jr., Esq.
Alexander Gray Jones, Esq.
Richard M. Matthews, Esq.
Vaughn E. Richardson, Esq.
Henry P. Walters, Esq.

Harland Cottman
Walter Jones
Elmer T. Myers
Norman Polk
Herman J. Stevens
Audrey Stewart

Second Judicial Circuit

Doris P. Scott, Esq., Chair

David C. Bryan, Esq.
Ernest S. Cookerly, Esq.
Frank Howard, Esq.
James C. Hubbard, Esq.
Christopher B. Kehoe, Esq.
Frank C. Sherrard, Esq.

Robert E. Bryson
Betty T. Dickinson
Grace McCool
James O. Pippin, Jr.
J. Willis Wells
Philip Yost

Third Judicial Circuit

Monroe I. Duke, Chair

Thomas G. Bodie, Esq.
Richard F. Cadigan, Esq.
William M. Hesson, Jr., Esq.
John Bruce Kane, Esq.
Thomas F. McDonough, Esq.
John H. Zink, III, Esq.

Louis Akers
Eddie C. Brown
Selena Gaskins
Robert Plummer
Benedict A. Pokrywka
Sara H. Whiting

Fourth Judicial Circuit

William Walsh, Esq., Chair

Thomas Newan Berry, Esq.
William K. Boone, III, Esq.
Leslie J. Clark, Esq.
Irving M. Einbinder, Esq.
Leonard J. Eiswert, Esq.
John Hammond Urner, Esq.
Anne L. Gormer
William L. Huff
Dorothy Leuba
Joseph H. McElwee
David H. Miller, M.D.
Vacancy

Fifth Judicial Circuit

Lewis Straughn Nippard, Esq., Chair

William A. Franch, Esq.
Vincent M. Guida, Esq.
James Patrick Nolan, Esq.
Robert K. Parker, Esq.
Barry Silber, Esq.
Vacancy
Shirley Hager Hobbs
Walter E. Morgan
George Pettigrew
Marion Satterthwaite
Ruth Uhrig
Thomas Yeager

Sixth Judicial Circuit

Devin John Doolan, Esq., Chair

Francis J. Ford, Esq.
Edwin F. Nikirk, Sr., Esq.
William J. Rowan, III, Esq.
Don Franklyn Ryder, Jr., Esq.
Roger W. Titus, Esq.
Charles E. Wilson, Jr., Esq.
Margaret Hindman
Roberta B. Hochberg
Miriam S. Raff
Donald B. Rice
Lois O. Stoner
Charles F. Wilding

Seventh Judicial Circuit

Benjamin R. Wolman, Esq., Chair

Paul J. Bailey, Esq.
Thomas F. Mudd, Esq.
Ralph W. Powers, Jr., Esq.
Victoria Elizabeth Selph, Esq.
Thomas Larner Starkey, Esq.
George A. Wilkinson, Jr., Esq.
Thomas Amenta
Warren E. Barley
Shirley E. Colleary
Annette Funn
Rev. Andrew Johnson
John F. Wood, Jr.

Eighth Judicial Circuit

Benjamin C. Whitten, Ed.D., Chair

Peter F. Axelrad, Esq.
Paul D. Bekman, Esq.
Paula M. Junghans, Esq.
Albert J. Matricciani, Jr., Esq.
Theodore S. Miller, Esq.
Kenneth L. Thompson, Esq.
Pearl Cole Brackett, Ph.D.
John B. Ferron
Marianne Githens, Ph.D.
Antonia Keane
Mary E. Robinson
William H.C. Wilson

Removal and Discipline of Judges

Every Maryland judge is subject to mandatory retirement at age 70. In addition, judges of the appellate courts run periodically in noncompetitive elections. A judge who does not receive the majority of the votes cast in such an election is removed from office. Judges from the circuit courts of the counties and Baltimore City must run periodically in regular elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges face Senate reconfirmation every ten years. A judge who is not reconfirmed by the Senate is removed from office. In addition, there are from six to seven other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a court of law for incompetency, willful neglect of duty, misbehavior in office, or any other crime..."
2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concur in the address, and if the accused has been notified of the charges against him and has had an opportunity to make his defense.
3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity..."
4. The General Assembly may remove a judge through the process of impeachment.
5. The Court of Appeals may remove a judge upon recommendation of the Commission on Judicial Disabilities.
6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever ... disqualified for holding any office of trust or profit in this State" and thus presumably removed from office.
7. Article XV, § 2 of the Constitution, adopted in 1974, may provide another method to remove elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a *nolo* plea for a crime which is a felony or which is a misdemeanor related to his public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.

Despite the availability of other methods, only the fifth one has actually been used within recent memory. Since the use of this method involves the Commission on Judicial Disabilities, which also has the power to recommend discipline less severe than removal, it is useful to examine that commission.

The Commission on Judicial Disabilities

The Commission on Judicial Disabilities was established by constitutional amendment in 1966 and strengthened in 1970; its powers were further clarified in a 1974 constitutional amendment. The Commission is empowered to investigate complaints, conduct hearings, or take informal action as it deems necessary, provided that the judge involved has been properly notified. Its operating procedures are as follows: the Commission conducts a preliminary investigation to determine whether to initiate formal proceedings, after which a hearing may be held regarding the judge's alleged misconduct or disability. If, as a result of these hearings, the Commission, by a majority vote, decides that a judge should be retired, removed, censured or publicly reprimanded, it recommends that course of action to the Court of Appeals. The Court of Appeals may order a more severe discipline of the judge than that which the Commission recommended. In addition, the Commission has the power in limited situations to issue a private reprimand or merely a warning.

The Commission on Judicial Disabilities serves the public in a variety of ways. Its primary function is to receive, investigate and hear complaints against members of the Maryland judiciary. Formal complaints must be in writing and notarized, but no particular form is required. In addition, numerous individuals either write or call expressing dissatisfaction concerning the outcome of a case, or some judicial ruling. While the majority of these complaints do not fall technically within the Commission's jurisdiction, the complainants are afforded an opportunity to express their feelings and frequently are informed, for the very first time, of their right of appeal. Thus the Commission in an informal fashion offers an ancillary, though vital, service to members of the public.

During the past year, the Commission considered thirty-two formal complaints—of which two were initiated by the Commission itself, two by practicing attorneys and the remainder by either private individuals or members of some public interest group. Several complaints were directed against more than one judge and sometimes a single judge was the subject of numerous complaints. In all, eleven judges sitting at the District Court level, one Orphans' Court judge, twenty-five Circuit Court judges and one member of an appellate panel were the subjects of complaints.

As in previous years, litigation over domestic matters (divorce, alimony, custody) precipitated the most complaints (14), criminal cases accounted for nine and the remainder resulted from ordinary civil litigation or the alleged improper demeanor of some jurist. No formal record is kept of either the innumerable telephone discussions and consultations or the written complaints summarily dismissed for lack of jurisdiction.

The Commission deals with formal complaints in a variety of ways. Tapes or transcripts of judicial hearings are often obtained. When pertinent, attorneys and other disinterested parties who participated in the hearings are interviewed. Sometimes, as part of its preliminary investigation, the Commission will request a judge to appear before it.

During the past year, three complaints were dismissed because the judges involved either retired or resigned. Several judges were requested to defend charges against them. In most instances, however, the complaints were subsequently dismissed either because the charges leveled were never substantiated or because, the Commission eventually concluded, the conduct did not amount to a breach of judicial ethics. Matters were likewise disposed of by way of informal discussion with the jurist involved. Several matters remain currently pending.

Finally, pursuant to Rule 1227 of the Maryland Rules, the Commission serves yet another function. It supplies judicial nominating commissions with confidential information concerning reprimands to or pending charges against those judges seeking nomination to judicial offices.

The Commission meets as a body irregularly, depending upon the press of business. Its seven members, who serve without remuneration, are appointed by the Governor and include four judges presently serving on the bench, two members of the bar for at least fifteen years, and one lay person representing the general public.

Windmill at The Cloisters (Baltimore County)

1986 Legislation Affecting the Courts

1986 Legislation Affecting the Courts

Unlike the relative calm of last year, the 1986 Session of the General Assembly was consumed by the savings and loan crisis. Despite the Legislature's preoccupation with the thrift crisis, there was no lack of abundance of measures affecting the judiciary. This summary is intended to highlight a few of the more important items. A more detailed summary of 1986 legislation is available through the Administrative Office of the Courts.

1. Judicial Conference Legislation

Commitment of Inmates—Chapter 844. Repeals the provisions of the law that permit inmates in correctional institutions to petition a circuit court for commitment to the Drug Abuse Administration.

Peremptory Challenges—Chapter 656. Decreases the number of peremptory challenges available to a defendant in criminal proceedings involving a sentence of 20 years or more but less than life and strikes the provision that required multiple defendants to be considered as a single party.

Juvenile Disposition—Chapter 661. Permits a juvenile court, in making a disposition, to designate the type of facility to accommodate the child.

Foreclosure—Chapter 135. Requires the political subdivision where the property is located to be made a defendant in an action to foreclose a right of redemption.

2. Court Administration

Circuit Courts—Jurisdiction—Chapter 11. Provides a court administering a savings and loan conservatorship or receivership with the exclusive jurisdiction over all claims and actions brought against the institution.

District Court—Jurisdiction—Chapter 855. Provides the District Court with concurrent jurisdiction in proceedings against an adult contributing to a violation or to a child's delinquency, need of supervision, or need of assistance.

Fees and Funding—Chapter 550. Prohibits charging a political subdivision with the costs of a criminal proceeding or charging a defendant with such costs if found not guilty.

Circuit Court Clerks—Chapter 722. Proposes a constitutional amendment that provides that circuit court clerks' offices be funded through the State budget and that their revenues be remitted to the State.

3. Criminal Law and Procedure

Pornography—Chapter 112. Prohibits the representation or performance of sexual conduct by anyone under the age of 16.

Harassment—Chapter 721. Prohibits a course of conduct that alarms or seriously annoys another person. This will not apply to any peaceable activity to express political views or provide information to others.

Mandatory Sentences—Chapter 779. Adds the crimes of assault with intent to rob and assault with intent to commit a sexual offense in the first or second degree to the definition of "crime of violence" for purposes of mandatory sentencing of subsequent offenders.

Jury Instructions—Chapter 126. Prohibits a judge from instructing the jurors that they must assume that a sentence for life imprisonment is for the natural life of the defendant.

Victims—Chapter 125. Establishes guidelines for the treatment of and assistance to crime victims and witnesses that include notice of proceedings, crisis intervention assistance, separate waiting areas, jury and employer intercession services and limited access to address the judge or jury.

Warrantless Arrest—Chapter 668. Permits an arrest without a warrant if a law enforcement officer has probable cause to believe that a person has "battered" his or her spouse.

4. Civil Law and Procedure

Damages—Chapter 639. Places a cap of $350,000 on "noneconomic damages" in all personal injury actions.

Liability—Chapter 643. Provides that an agent of a charitable organization is not personally liable for damages unless it is found that the agent acted with malice or gross negligence.

Estates and Trusts—Chapter 832. Prospectively disqualifies a witness to a "Living Will" declaration if the witness is knowingly entitled to any financial benefit by reason of the death of the declarant.

5. Juvenile and Family Law

Criminal Background Checks—Chapter 110. Requires criminal background investigations for employees and employers of child care facilities.

Adoptions—Chapter 706. Prohibits the executive head of a child placement agency from withholding consent to an adoption for the sole reason that the race or religion of the prospective parents is different from that of the child or the birth parents.

Custody—Chapter 65. Permits a court to award joint custody of children.

Marital Property—Chapter 765. Authorizes a court determining marital property to transfer ownership of an interest in a pension or retirement plan from a party to either or both parties.

6. Motor Vehicle Laws

Admissibility—Chapter 757. Permits evidence of a refusal to submit to a chemical test for alcohol to be admissible at trial for a violation of the "driving while intoxicated" law.

Seat Belts—Chapters 287 and 288. Requires passengers in front seat positions adjacent to a door to wear seat belts.

Alcohol Restriction—Chapter 369. Establishes a license restriction for alcohol that prohibits the licensee from driving or attempting to drive a motor vehicle while there is alcohol in his blood.

7. Mental Health

Suicide—JR1 and JR6. Requests the Governor establish a task force to develop and implement a plan to combat child, teenage and young adult suicide and other associated mental health problems.

Rights of the Mentally Ill—Chapter 232. Establishes the right of individuals in mental health facilities to be free from any persistent course of conduct resulting in emotional harm.

Chesapeake Bay Skipjack

Cross Reference and Definitions

Cross Reference to Table Numbers in Former Reports

Current Table		Former Table(s)
	COURT OF APPEALS	
CA-1	Court of Appeals—Appeals Actually Filed and Terminated Within Fiscal Year—Graph	Not referenced
CA-2	Origin of Appeals by Appellate Judicial Circuits—Court of Appeals—Pie Chart	CA-6
CA-3	Appeals Docketed by Term—Court of Appeals—Regular Docket—Graph	CA-4
CA-4	Disposition of Total Caseload—Court of Appeals	CA-1
CA-5	Cases Pending—Court of Appeals—Regular Docket	CA-10
CA-6	Five-Year Comparative Table—Petitions for Certiorari Granted	CA-3
CA-7	Origin of Appeals by Appellate Judicial Circuits and Counties—Court of Appeals	CA-5
CA-8	Disposition of Court of Appeals Cases—Regular Docket	CA-7
CA-9	Petition Docket Dispositions (Petitions for Certiorari)	CA-2
CA-10	Average Time Intervals for Cases Disposed by Court of Appeals	CA-8
CA-11	Five-Year Comparative Table—Average Time Intervals for Filing of Appeals on the Regular Docket	CA-9
	COURT OF SPECIAL APPEALS	
CSA-1	Court of Special Appeals—Appeals Actually Filed and Terminated Within Fiscal Year—Graph	Not referenced
CSA-2	Appeals Docketed by Term—Court of Special Appeals—Regular Docket—Graph	CSA-1
CSA-3	Prehearing Conference Reports—Court of Special Appeals—Graph	Not referenced
CSA-4	Disposition of Information Reports Assigned for Prehearing Conference—1985 Term—Pie Chart	Not referenced
CSA-5	Disposition of Applications for Leave to Appeal and Other Miscellaneous Cases	CSA-8
CSA-6	Pending Cases—Court of Special Appeals—Regular Docket	CSA-9
CSA-7	Origin of Appeals by Appellate Judicial Circuits and Counties—Court of Special Appeals—Regular Docket	CSA-2
CSA-8	Origin of Appeals by Appellate Judicial Circuits—Court of Special Appeals—Regular Docket—Pie Chart	CSA-3
CSA-9	Relationship Between Court of Special Appeals Filings on 1985 Regular Docket and Circuit Court Trials in Fiscal 1985	CSA-4
CSA-10	Cases Disposed by Court of Special Appeals—Regular Docket	CSA-7
CSA-11	Average Time Intervals for Cases Disposed by Court of Special Appeals—Regular Docket	CSA-5
CSA-12	Five-Year Comparative Table—Average Time Intervals for Filing of Appeals on Regular Docket	CSA-6

Current Table **Former Table(s)**

CIRCUIT COURT

General

CC-1	Circuit Court—Filings by Fiscal Year	Not referenced
CC-2	Five-Year Comparative Table—All Cases—Filings and Terminations	CC-6
CC-3	Terminations as a Percentage of Filings in the Circuit Courts—Graph	CC-5
CC-4	Cases Tried by Major Jurisdiction	CC-11
CC-5	Jury Trial Prayers Pre- and Post-Gerstung Law (Chapter 608)	Not referenced
CC-6.1 thru CC-6.9	Civil, Criminal, and Juvenile—Filed, Terminated, and Pending	CC-1.1 thru 1.9
CC-7	Percentages of Original Cases Filed and Reopened Cases Filed	CC-2
CC-8	Categories of Filings—Original Cases Filed and Reopened Cases Filed	CC-3
CC-9	Categories of Terminations—Terminations of Original Cases Filed and Reopened Cases Filed	CC-4
CC-10	Court Trials, Jury Trials, and Hearings by County, Circuit, and Functional Area	CC-7
CC-11	Appeals from District Court and Administrative Agencies and Percentage of Circuit Court Case Filings Originating from the District Court	CC-8
CC-12	Average Days from Filing to Disposition	CC-9
CC-13	Population in Relation to Circuit Court Caseload	CC-10
CC-14	Five-Year Comparative Table—Cases Filed and Terminated Per Judge	CC-12
CC-15	Five-Year Comparative Table—Appeals from the District Court and Administrative Agencies	CC-13
CC-16	Five-Year Comparative Graph—Appeals from District Court and Administrative Agencies	CC-14
CC-17	Five-Year Comparative Table—Post Conviction Cases Filed	CC-15
CC-18	Applications for Review of Criminal Sentences	CC-16

Civil

CC-19	Five-Year Comparative Table—Civil Cases—Filings and Terminations	CC-17
CC-20	Civil Cases—Ratio of Trials to Dispositions	CC-18
CC-21	Five-Year Comparative Table—Civil Cases Tried	CC-19
CC-22	Civil—Average Days from Filing to Disposition by Age of Cases and Cumulative Percentages of Dispositions Within Specific Time Periods	CC-20

Criminal

CC-23	Five-Year Comparative Table—Criminal Cases—Filings and Terminations	CC-21
CC-24	Criminal Cases—Ratio of Trials to Dispositions	CC-22
CC-25	Five-Year Comparative Table—Criminal Cases Tried	CC-23
CC-26	Criminal—Average Days from Filing to Disposition by Age of Cases and Cumulative Percentages of Dispositions Within Specific Time Periods	CC-24

Current Table		**Former Table(s)**
	Juvenile	
CC-27	Five-Year Comparative Table—Juvenile Causes—Filings and Terminations	CC-25
CC-28	Juvenile—Average Days from Filing to Disposition by Age of Cases and Cumulative Percentages of Dispositions Within Specific Time Periods	CC-26
	DISTRICT COURT	
DC-1	District Court—Caseload by Fiscal Year—Graph	Not referenced
DC-2	Motor Vehicle and Criminal Cases Processed and Civil Cases Filed in the District Court of Maryland	DC-1
DC-3	Five-Year Comparative Table—Motor Vehicle and Criminal Cases Processed and Civil Cases Filed in the District Court	DC-2
DC-4	Population and Caseload Per District Court Judge as of June 30, 1986	DC-3
DC-5	Cases Filed or Processed in the District Court Per Thousand Population	DC-4
DC-6	Five-Year Comparative Table—Motor Vehicle Cases Processed by the District Court	DC-5
DC-7	Five-Year Comparative Table—Criminal Cases by the Number of Defendants Charged—Processed in the District Court	DC-6
DC-8	Five-Year Comparative Table—Civil Cases—Filed in the District Court	DC-7
DC-9	Five-Year Comparative Table—Driving While Intoxicated Cases Received by the District Court of Maryland	DC-8
DC-10	Special Proceedings—Emergency Evaluation and Domestic Abuse Hearings Held in the District Court of Maryland	DC-9

Definitions

Adoption, Guardianship—This includes all adoptions and guardianships including regular adoptions, guardianship with right to adoption and guardianship with right to consent to long-term case short of adoption. Guardianships of incompetents are reported in "Other—General."

Adult—A person who is 18 years old or older charged with an offense relating to juveniles to be heard in Juvenile Court. (See § 3-831 of Courts and Judicial Proceedings Article.)

Appeal—The resorting to a higher court to review, rehear, or retry a decision of a tribunal below. This includes appeals to the circuit court, the Court of Special Appeals, and the Court of Appeals.

Appeals to the circuit courts include:

1. Record—The judge's review of a written or electronic recording of the proceedings in the District Court.
2. De Novo—The retrial of an entire case initially tried in the District Court.
3. Administrative Agency—Appeals from decisions rendered by administrative agencies. For example:
    - Department of Personnel
    - County Commissioner
    - Department of Taxation and Assessments
    - Employment Security
    - Funeral Director
    - Liquor License Commissioners
    - Physical Therapy
    - State Comptroller (Sales Tax, etc.)
    - State Motor Vehicle Authority
    - Supervisors of Elections
    - Workmen's Compensation Commission
    - Zoning Appeals
    - Any other administrative body from which an appeal is authorized.

Application for Leave to Appeal—Procedural method by which a petitioner seeks leave of the Court of Special Appeals to grant an appeal. When it is granted, the matter addressed is transferred to the direct appeal docket of the Court for customary briefing and argument. Maryland statutes and Rules of Procedure permit applications in matters dealing with post conviction, inmate grievances, appeals from final judgments following guilty pleas, and denial of or grant of excessive bail in habeas corpus proceedings.

Case—A matter having a unique docket number; includes original and reopened (post judgment) matters. (Note: In fiscal years 1981 and 1982, reopened matters only include those cases which had a hearing.)

Caseload—The total number of cases filed or pending with a court during a specific period of time. Cases may include all categories of matters (law, equity, juvenile, and criminal). Note: After July 1, 1984, law and equity were merged into a new civil category.

C.I.N.A.—Child in Need of Assistance—Refers to a child who needs the assistance of the court because:

1. The child is mentally handicapped or
2. Is not receiving ordinary and proper care and attention and
3. The parents, guardian or custodian are unable or unwilling to give proper care and attention.

C.I.N.S.—Child in Need of Supervision—Refers to a child who requires guidance, treatment or rehabilitation because of habitual truancy, ungovernableness or behavior that would endanger himself or others. Also included in this category is the commission of an offense applicable only to children.

Condemnation—The process by which property of a private owner is taken for public use without the owner's consent but upon the award and payment of just compensation.

Contested Confessed Judgment—The act of a debtor in permitting judgment to be entered by his creditor immediately upon filing of a written statement by the creditor to the court.

Contracts—A case involving a dispute over oral or written agreements between two or more parties.

- Breaches of verbal or written contracts
- Landlord/tenant appeals from District Court

Delinquency—Commission of an act by a juvenile which would be a crime if committed by an adult.

Disposition—Entry of final judgment in a case.

District Court—Contested—Only applies to civil, a case that has gone to trial and both parties (plaintiff and defendant) appear.

District Court Criminal Case—Single defendant charged per single incident. It may include multiple charges arising from the same incident.

District Court Filing—The initiation of a civil action or case in the District Court. District Court criminal and motor vehicle cases are reported as "processed" rather than as "filed."

Divorce, Nullity—A proceeding to dissolve a marriage. Original filings under this category include divorce a vinculo matrimonii, divorce a mensa et thoro, and annulment. A reopened case under this category includes hearings held after final decree or other termination in the original case. A reopened case may involve review of matters other than the divorce itself as long as the original case was a divorce. (Examples of the latter may be a contempt proceeding for nonpayment of support, noncompliance with custody agreement, modification of support, custody, etc.)

Docket—Formal record of court proceedings.

Filing—Formal commencement of a judicial proceeding by submitting the necessary papers pertaining to it. Original filing under one docket number and subsequent reopenings under the same number are counted as separate filings. (Note: In fiscal years 1981 and 1982, reopened filings include only those reopened cases which had a hearing.)

Fiscal Year—The period of time from July 1 of one year through June 30 of the next. For example: July 1, 1985 to June 30, 1986.

Hearings

- **Criminal**—Any activity occurring in the courtroom, or in the judge's chambers on the record and/or in the presence of a clerk, is considered a hearing, except trials or any hearing that does not involve a defendant.

  Examples of Hearings in Criminal

  Arraignment
  Discovery motion
  Guilty plea
  Motion to quash
  Motion to dismiss
  Motion for change of venue
  Motion to continue
  Motion to suppress
  Motion to sever
  Nolo contendere
  Not guilty with agreed statement of facts
  Sentence modifications
  Violation of probation

- **Civil**—A presentation either before a judge or before a master empowered to make recommendations, on the record or in the presence of a clerk or court reporters, for purposes other than final determination of the facts of the case. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

  Examples of Hearings in Civil

  Motion to compel an answer to an interrogatory
  Motion ne recipiatur
  Motion for judgment by default
  Demurrer
  Motion for summary judgment
  Motion to vacate, open, or modify confession of judgment
  Preliminary motions presented in court, including motions for continuance
  Determination of alimony pendente lite, temporary custody, etc., in a divorce case
  Contempt or modification hearings

- **Juvenile**—A presentation before a judge, master, or examiner on the record in the presence of a clerk or court reporter. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

  Examples of Hearings in Juvenile

  Preliminary motions presented in court
  Arraignment or preliminary inquiry
  Detention (if after filing of petition)
  Merits or adjudication
  Disposition
  Restitution
  Waiver
  Review
  Violation of probation

Indictment—The product of a grand jury proceeding against an individual.

Information—Written accusation of a crime prepared by the State's Attorney's Office.

Jury Trial Prayer—Motor Vehicle—A request for trial by jury in the circuit court for a traffic charge normally heard in the District Court. To pray a jury trial in a motor vehicle case, the sentence must be for more than six months.

Jury Trial Prayer—Other (Criminal)—A request for a trial by jury in the circuit court for charges normally heard in the District Court, **except** traffic charges or nonsupport.

Miscellaneous Docket—Established and maintained primarily as a method of recording and identifying those preliminary proceedings or collateral matters before the Court of Appeals other than direct appeals.

Motor Torts—Personal injury and property damage cases resulting from automobile accidents. (This does not include boats, lawn mowers, etc., nor does it include consent cases settled out of court.)

Motor Vehicle Appeals—An appeal of a District Court verdict in a traffic charge.

Nolle Prosequi—A formal entry upon the record by the plaintiff in a civil suit, or the State's Attorney in a criminal case, to no longer prosecute the case.

Nonsupport—A criminal case involving the charge of nonsupport.

Original Filing—See "Filing."

Other Appeals (Criminal)—An appeal of a District Court verdict **except** one arising from a traffic charge or nonsupport.

Other Domestic Relations—Matters related to the family other than divorce, guardianship, adoption or paternity. Examples of this category include support, custody, and U.R.E.S.A. cases.

Other Civil/Other Equity—This category includes, among other things, injunctions, change of name, foreclosure, and guardianship of incompetent persons.

Other Law—This category includes, among other things, conversion, detinue, ejectment, issues from Orphans' Court, attachments on original process, and mandamus.

Other Torts—Personal injury and property damage cases resulting from:
- Assault and battery—an unlawful force to inflict bodily injury upon another.
- Certain attachments.
- Consent tort.
- False imprisonment—the plaintiff is confined within boundaries fixed by the defendant for some period of time.
- Libel and slander—a defamation of character.
- Malicious prosecution—without just cause an injury was done to somebody through the means of a legal court proceeding.
- Negligence—any conduct falling below the standards established by law for the protection of others from unreasonable risk of harm.

Paternity—A suit to determine fatherhood responsibility of a child born out of wedlock.

Pending Case—Case in which no final disposition has occurred.

Post Conviction—Proceeding instituted to set aside a conviction or to correct a sentence that was unlawfully imposed.

Reopened Filing—The first hearing held on a case after a final judgment on the original matter has been entered.

Stet—Proceedings are stayed; one of the ways a case may be terminated.

Termination—Same as "Disposition."

Trials
- **Criminal**

  Court Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant where one or more witnesses has been sworn.

  Jury Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant, where the jury has been sworn.
- **Civil**

  Court Trial—A contested hearing on any one or all merits of the case, presided over by a judge, to decide in favor of either party where testimony is given by one or more persons. **Note:** "Merits" is defined as all pleadings prayed by the plaintiff in the original petition that created the case. Divorce, custody, child support, etc., are examples that might be considered merits in a civil case.

  Jury Trial—A contested hearing on the facts of the case to decide in favor of either party where the jury has been sworn.

Unreported Category—A case that has been reported but not specifically identified as to case type by the reporting court.